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## PART I.—HISTORICAL.

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### CHAPTER I.

#### OPENING OF PARLIAMENT.

*State of Affairs at the commencement of the Year.—Parliament meets.—King's Speech.—Ministers announce their intention to move the Repeal of the Suspension Act.—Debates on the Address.*

THE present year, as compared with the preceding one, opened under far happier auspices. That public distress and woe, which had alone given to the impulses of the disaffected their efficacy and formidable character, had nearly disappeared. . . . The prosperity of trade, and the extended demand for British manufactures, placed in comfortable circumstances those whom misery before had goaded to desperation. The agitators, discomfited in all their attempts, and finding no longer apt materials on which to work, either remained dormant, or made such abortive efforts, as served only to expose their weakness. The vessel of the state was to be guided now over a tranquil sea, no longer beset with those rocks from which shipwreck had been dreaded. This fortunate aspect of public affairs had a more cheering influence, since it was

hailed as the earnest of that which Britain was now permanently to exhibit.—Such a hope was premature and illusory. The absence of that extraordinary stimulus which war had given to various branches of industry, could not be so suddenly supplied. The present active production was destined, in a great degree, for a speculative market, and was marked by all that excess of adventure to which overflowing enterprise and capital too frequently stimulate British merchants. It laid the foundation, therefore, for a redundant supply, which was to renew that stagnation and suffering from which the nation appeared to have emerged. But these evils were neither felt nor foreseen: The public is ever sanguine, and ever believing, that what is now, will continue to be; a propensity, after all, which, when duly modified, tends

nch to secure the comfort and well-being of human life.

It might, at first sight, appear, that this smooth stream of public affairs was favourable to those who stood at the helm. It certainly relieved them from many difficulties as to action,—yet the fact is, that it neither fixed them more firmly in their seats, nor strengthened their parliamentary majority. It had the contrary of both these tendencies. When the vessel of the state is severely tossed, all the well-appointed mariners cling to the helm, provided, at least, it be held by a hand at all qualified to steer it.—When the tide of innovation appears flowing too rapidly, they make it a fixed principle to support throughout the actually existing authorities, and to arm them with every instrument which appears necessary for stemming the torrent; but, when the danger appears past, and affairs resume a tranquil aspect, the usual current of British habits and ideas returns,—jealousy of public rights, and a watchful care of public money, becomes then the prominent sentiment in a large proportion of the legislative body. All the great steps taken against ministries within parliament, have been when they had least to dread from without. It has therefore been a standing charge, by the opponents of all administrations—that every report made by them as to internal disturbances, is got up for the express purpose of terrifying parliament into a support of their persons, and an enlargement of their powers; that the statements prompted by such motives, rest either on no grounds at all, or are at least so vastly magnified, as scarcely to retain any analogy to the real state of the case. That ministers either did or could impose so grossly upon the country as they are daily charged with doing, will not probably be cre-

dited by any considerate observer. It may, however, be admitted, that a body, whose leaning must ever be on the side of power, may be more apt to go beyond than within the just estimate. Parliament, too, the more that in the moment of alarm they are inclined to overrate the urgency of the danger, have so much stronger a tendency, on the return of calm, to consider the peril as chimerical, and even to laugh at their former fears.

Under these advantages the Whigs began their campaign. They invoked the constitution, and the liberty of the subject, of which they considered themselves the natural guardians. To this theme they justly expected to find a British parliament alive, after the impulse was past which had excited the temporary suspension of some of its proudest rights. The force of their onset was broken by the promptitude with which ministers threw back into the hands of parliament those irregular and anomalous powers, with which they had been temporarily invested. Still their opponents were not without hopes of pursuing and harassing them even in this prompt retreat. In evil days, measures in themselves evil, must sometimes be resorted to: and in the moment of perplexity, alarm, and irritation, it is difficult to avoid carrying these farther than is authorized by the absolute necessity of the case. Some such measures could now be produced, the charge founded upon which was not wholly unsupported by public opinion. There could be produced, moreover, a considerable mass of individual suffering, incurred under the operation of the powers entrusted to ministers for the preservation of the public tranquillity. The system of imprisonment, and of protracted detention without trial, is contrary to every principle of a free constitution. Till the Habeas Corpus act was pass-

ed, British liberty could never be considered as placed on a solid basis. All other institutions must have been to a great extent nugatory, while the crown possessed, without controul, such a power of individual intimidation. Exercised in the most mild and moderate manner, and within the limits of the strictest necessity, it cannot fail to involve individuals in extensive extra-judicial suffering. They must be dragged from their homes and families—must be confined for a length of time in inconvenient, often unwholesome, recesses, mixed, perhaps, with profligate and disgusting society—their employments must be suspended, and probably exposed to permanent loss—their character seriously injured,—and all this while, being untried, they are, according to the fixed principles of the law of England, to be considered as innocent.—They are persons, whose individual rights it has been necessary to sacrifice to the general good. Being then, whether guilty or innocent, presumed innocent in the eye of the law, they have a very clear right, in equity, to a compensation for all the loss they have sustained, and to a *solatium* for the hardships and painful feelings to which they have been exposed. This could be ascertained, too, without the necessity of any inquisition or injurious disclosure. No inquiry would be needful into the practices in which they had been engaged, or the grounds on which they had been apprehended, but simply into what they had suffered. We know only one ground upon which the natural advocates of this class of persons can be justified in never having advanced such a claim. The measures in question being in their own nature irregular and unjust, ought, it may be said, to continue such: nothing ought to be done to legalize what is illegal—to reduce it into a regular shape, and strip it of

those odious accompaniments which render it the object of a salutary public indignation. The way might thus be paved for that becoming permanent, which is at present only a transient invasion of public right. It is certain, although we are not prepared to charge this as a ruling motive, that the purposes of party are much better served by it in this irregular state,—the opponents of ministry being able to charge upon them all the sufferings incurred out of the regular course of law, and by their arbitrary mandate.

Parliament was this year opened by commission, on Tuesday, 27th January, 1818. The speech delivered, in name of the Prince Regent, was as follows:

*“ My Lords and Gentlemen,*

“ We are commanded by his Royal Highness the Prince Regent to inform you, that it is with great concern that he is obliged to announce to you the continuance of his Majesty’s lamented indisposition.

“ The Prince Regent is persuaded that you will deeply participate in the affliction with which his Royal Highness has been visited, by the calamitous and untimely death of his beloved and only child the Princess Charlotte.

“ Under this awful dispensation of Providence, it has been a soothing consolation to the Prince Regent’s heart, to receive from all descriptions of his Majesty’s subjects the most cordial assurances, both of their just sense of the loss which they have sustained, and of their sympathy with his parental sorrow! and, amidst his own sufferings, his Royal Highness has not been unmindful of the effect which this sad event must have on the interests and future prospects of the kingdom.



"We are commanded to acquaint you, that the Prince Regent continues to receive from foreign powers the strongest assurances of their friendly disposition towards this country, and of their desire to maintain the general tranquillity.

"His Royal Highness has the satisfaction of being able to assure you, that the confidence which he has invariably felt in the stability of the great sources of our national prosperity has not been disappointed.

"The improvement which has taken place in the course of the last year, in almost every branch of our domestic industry, and the present state of public credit, afford abundant proof that the difficulties under which the country was labouring were chiefly to be ascribed to temporary causes.

"So important a change could not fail to withdraw from the disaffected the principal means of which they had availed themselves for the purpose of fomenting a spirit of discontent, which unhappily led to acts of insurrection and treason; and his Royal Highness entertains the most confident expectation, that the state of peace and tranquillity, to which the country is now restored, will be maintained against all attempts to disturb it, by the persevering vigilance of magistracy, and by the loyalty and good sense of the people.

*"Gentlemen of the House of Commons,*

"The Prince Regent has directed the estimates for the current year to be laid before you.

"His Royal Highness recommends to your continued attention the state of the public income and expenditure; and he is most happy in being able to acquaint you, that since you were last assembled in parliament, the revenue has been in a state of progressive improvement in its most important branches.

*"My Lords and Gentlemen,*

"We are commanded by the Prince Regent to inform you, that he has concluded treaties with the courts of Spain and Portugal, on the important subject of the abolition of the slave-trade.

"His Royal Highness has directed that a copy of the former treaty should be immediately laid before you; and he will order a similar communication to be made of the latter treaty, as soon as the ratification of it shall have been exchanged.

"In these negotiations, it has been his Royal Highness's endeavour, as far as circumstances would permit, to give effect to the recommendations contained in the joint addresses of the two houses of Parliament: and his Royal Highness has a full reliance on your readiness to adopt such measures as may be necessary for fulfilling the engagements into which he has entered for that purpose."

"The Prince Regent has commanded us to direct your particular attention to the deficiency which has so long existed in the number of places of public worship belonging to the established church, when compared with the increased and increasing population of the country."

"His Royal Highness most earnestly recommends this important subject to your early consideration, deeply impressed, as he has no doubt you are, with a just sense of the many blessings which this country, by the favour of Divine Providence, has enjoyed; and with the conviction, that the religious and moral habits of the people are the most sure and firm foundation of national prosperity."

It was not long of appearing what would be the main subject of debate during the present session. The leaders of the opposition in both Houses were so eager to press the subject of

the Habeas Corpus Suspension Act, that before there was time to move the address to the Prince Regent, Lord Holland, in the Lords, and Lord Althorp, in the Commons, intimated, that they held in their hands a proposition for its repeal. Lords Liverpool and Castlereagh, in their respective houses, stated in reply, that it was the immediate intention of ministers themselves to propose a bill to that effect, with a view to the immediate passing of which they would also move to suspend the standing orders of the House.

This affair being disposed of, an address, echoing as usual the speech, was moved in the Lords by the Earl of Aylesford and Lord Selsey, in the Commons by Mr Wodehouse and Mr Wyndham Quin. The first topic which was forced on their attention, was the untimely and lamented fate of the Princess Charlotte, a just panegyric on her virtues and the hopes they had inspired, the gloom with which this sad event had overspread the nation, and the sympathy due to the heavy loss sustained by the illustrious parent. After this melancholy topic, all the others, which the state of the nation suggested, were of a cheering nature. The country, Lord Selsey observed, had at that time been threatened with anarchy and rebellion; commerce had become stagnant in all its channels; and a deep and settled gloom and consternation hung over the country, of a darker character than any they had experienced during the long course of the preceding hostilities. To this, however, a triumph had succeeded, a triumph not indeed accompanied by the "pride, pomp, and circumstance of war," but one wherein wisdom and moderation had counteracted the desolating spirit of revolution, crushed the seeds of anarchy, and re-established peace, confidence, and tranquillity.

"Last year," said Mr Quin, "strong men were to be seen in distress for want of work; now wages have advanced; industry, which is the staple foundation of national wealth, has a fair field spread for its exertion. The country, if I may so express myself, feels an increased circulation in every artery, in every channel of its commerce.—Last year the fires were extinguished in most of the iron works, now they are in full activity, and the price of iron has risen from 8*l.* or 9*l.* to about 14*l.* a ton. The demand for linen, the staple of the north of Ireland, is unprecedented, both as to quantity and price. The funds are now eighty, last year about sixty-three. Money is most abundant, and when lent at mortgage to good security, lowering in rate of interest, and to be had at 4½ per cent, at the same time that sales of land are effected at better prices than last year. Gold too has re-appeared, and the little request in which it is held, seems to declare, that a belief in the stability of our financial system is universal. Let me notice the return of confidence among all classes and descriptions of men;—the farmer, the manufacturer, the merchant, all seem to feel its vivifying influence." The country was said to be now reaping the fruits of its noble exertions, which it could never have attained, had it followed a less wise and energetic system. The profound peace which reigned on the continent with every hope of continuance, and the treaties concluded with Spain and Portugal for the suppression of the slave trade in their respective territories, furnished grounds of high congratulation. The proposal for the erecting and endowing of new churches was mentioned as strongly called for by the present deficiency in the accommodation for public worship. It indicated also the regard paid by the administration to the religious

and moral welfare of the community, an object with which national safety and prosperity were so intimately connected.

The leaders on the opposite side did not come forward in that high tone, and with that imposing front, which they had displayed at the commencement of the former session. The principal speakers did not even make their appearance. By those who spoke, it was stated, that their concurrence in the first paragraph of the speech, that relating to the Princess Charlotte, was so entire, as to make them anxious to avoid all appearance of dissent. Although, likewise, they protested strenuously against the idea, that the restored tranquillity of the country was in any degree due, either to the present ministers, or to the suspension of the Habeas Corpus Act, the address was otherwise such as, though they could not cordially approve, they did not feel themselves positively called upon to controvert. Some skirmishing, however, took place on particular points. Lord Althorpe, in the Commons, arraigned the trial of Hone on three successive indictments. He certainly considered the parodies highly reprehensible, though he would have thought the mode of proceeding by a grand jury preferable to that on an information *ex officio*. But that which appeared to him wholly indefensible, was the twice following up the acquittal with a new trial on a similar libel, thus appealing as it were from jury to jury, and endeavouring to bring the institution itself into contempt. "The sanction of three verdicts was thus given to a practice condemnable by all well-disposed persons, all through the injudicious zeal of the honourable and learned gentleman.—Had the case been otherwise, and the defendant been convicted upon the third trial, there can be little doubt his punishment would have

nearly equalled those resulting from a conviction upon the three several informations; and yet, in that case, he would have been acquitted by the majority of the juries. This mode of proceeding cannot be considered candid or liberal. An unfair advantage appears to have been taken of the accused, by subjecting him to reiterated trials, and reiterated and painful exertions."

These remarks called up the Attorney-General, who declared, that there had been nothing litigious in the proceedings against Mr Hone. It might be made a question, whether any of the libels was a proper subject of prosecution; but if that were decided in the affirmative, he certainly conceived it his duty to proceed against the whole. Was it because three separate and distinct libels,—three publications charged as libels at least,—had been sent forth by the same person, that two out of the three, on a verdict of acquittal being pronounced on the first trial, ought not to be prosecuted? If only one had been selected, the inference must have been, that the other two were innocent, justifiable, and might be circulated at pleasure. It certainly was a matter of serious consideration, after the first verdict, whether he should go on: but he was finally convinced, that, by doing otherwise, he would be guilty of a gross dereliction of duty. His mind had not been at all convinced, though by the law of England the jury had the right.—and God forbid they should not have it,—of deciding on the guilt or innocence of the party accused;—yet still he had not been convinced that the publications in question were not what they had been charged to be. On such matters, every man was entitled to exercise his own judgment. He felt that he had been in error when he first proceeded against them,—

had the first trial produced this conviction on his mind, he should have left it his bounden duty to stay the proceedings; but, in the absence of such conviction, ought he to have abstained from proceeding with the second prosecution, because the first had failed?

Sir Samuel Romilly entered more at large into topics connected with the general state of public affairs.—Desirable as it was, that harmony should prevail on the present occasion, it was yet the privilege of members to introduce affairs which had happened during the recess, especially if they had arisen from measures sanctioned by the House;—therefore, the noble lord was perfectly in order when he animadverted on the late trials, not so much as insulated events, but because they might be considered as part of the system of government now exercised. They threw great light on the extraordinary act which deprived us of the more valuable part of our constitution. Parliament was now called together under a public calamity; for what else was it, to be called together under the suspension of the best parts of the constitution? It appeared to him, that the transactions at Manchester, at Derby, and in Scotland, confuted all the grounds on which parliament had been called upon to pass the suspension of the Habeas Corpus Act. It was stated in both the reports, that a treasonable conspiracy of the most atrocious kind had existed at Manchester,—that it had been in agitation by the idle and disaffected to attack the barracks, and to burn the manufactories, solely for the purpose of destroying the means of work, and adding, by general distress, to the numbers of those who would engage in desperate plans. In the Lords' report, the phrase was, "to make Manchester a Moscow." It was sta-

ted in those reports, that some of the conspirators were in custody, and he had then suggested that these persons should be immediately brought to trial. How had they been proceeded against? The causes were removed by *certiorari* to the Court of King's Bench, to prevent a disclosure of the real nature of the charge against them; and at the next assizes in Lancaster, his learned friend, (Mr Topping, who acted for the Attorney-general,) stated, that no evidence was to be produced against them. Government knew from the beginning that no evidence could be brought against them by which they could be convicted; and therefore, turning the advantage they had gained against the people, for it was so, to their own account, they took credit for clemency, because they did not produce evidence which had never existed. How otherwise could it be supposed, that persons conspiring to burn factories, attack barracks, and create a revolution, should be discharged without trial or punishment? He would say nothing at present of the extraordinary, unprecedented—unprecedented—he was confident in England, and he believed even in Scotland—the unprecedented attempts to prevail upon another prisoner to give evidence against the accused. In regard to the transactions at Derby, they appeared to him to involve a clear condemnation of the suspension, since, though it had subsisted for five months, it did not prevent these disturbances: and though government declared that they had information of Brandreth having attended meetings, and formed treasonable designs, prior to the 8th of June, they did not avail themselves of this knowledge to seize his person. In his conscience he believed, from the information he had received, that the whole of that insurrection was the work of the per-

sions sent by the government—not indeed for the specific purpose of fomenting disaffection—but as emissaries of sedition from clubs that had never existed. In regard to Mr Hone's parodies, he admitted, that though not amounting to blasphemy, they were most offensive and indefensible. Long, however, before the prosecution began, they were entirely suppressed; and a guinea was stated to have been paid for a pamphlet which originally sold for twopence. It was the Attorney-General who had introduced them into a wider circulation than ever. He had given them a permanent place in the history of the country,—he had made them a part of its judicial annals,—he had given occasion to collect all the parodies that had been published in former ages, to print them in one convenient little volume, and to hand them down to posterity.—At all events, nothing could justify the repetition of the trials, especially in the third, which was the least criminal instance.

In reply to these strictures, the Solicitor-General observed, that the persons discharged on their recognizances were not those accused of a design to burn Manchester, but the misled individuals who had acquired the appellation of "Blanketeers," and whose offence amounted only to a ruse de guerre. The government had not known of any meetings at which Brandreth was present, prior to the 8th June; they merely inferred, from the circumstances of that day, that there must have been such meetings. In regard to the prosecution of Mr Hone, he did not conceive, that the impropriety of the libel could be made a reason against its prosecution. If that objection was to be allowed any force, the more atrocious a libel was, the more pernicious to the public morals, the more dangerous to the public peace, the more reason there would

be not to prosecute, inasmuch as the prosecution of the offence was to extend the circulation. The successive trials had reference not to identical libels, but to three distinct offences. If a man committed three different murders on the same night, in the same house, would the acquittal on one murder constitute an argument against future prosecutions on the other indictments? That difference existed in the case of Mr Hone: the offences were to be proved by distinct evidence. He was prepared to assert, that if a man sold three libels in the same shop, he might be prosecuted on an indictment which comprehended all the libellous publications. Yet, if such a course had been pursued by the Attorney-General, it would no doubt have been considered as extremely severe, and calculated to embarrass and confuse the defence of the accused. The libels had by no means been so completely suppressed as had been represented; on the contrary, they were republished, and circulating in various parts of the country.

Lord Folkestone rose, and made a speech in that high tone of popular invective which he is accustomed to indulge. He verily believed that the persons set at liberty were the identical persons who had been accused of conspiring to burn Manchester. As to the trials at Derby, he verily believed, that the crime for which those unfortunate men suffered, was as much the production of Mr Oliver—as was much the effect of the measures taken by his Majesty's ministers—as any other transaction in which Mr Oliver had taken a part. "I believe it was the work of Mr Oliver—the agent of Lord Sidmouth—the instrument of ministers; and, if it was so, I do not envy them the triumph which seems to fill them with so much pride, of having convicted and exe-

ated those three miserable individuals. Now, sir," said Lord Folkestone, "to come to the address. I cannot entirely agree to the sentiments contained in it. There is one part of it, which contains an expression of the approbation of the House of the measures of his Majesty's government, and attributes the present improved state of the public feeling to their conduct. (Cries of 'No, no !') It so struck me, when it was read ; and most indubitably, I do not agree in such a sentiment. (Cries of 'No, no !') I understand there is no such thing in the address, and therefore I shall pursue the subject no farther." The address, moreover, appeared to him flat, bearing on no specific objects, and dealing only in generalities. The honourable gentleman who seconded it says, "there is nothing in the address that can be objected to, and therefore I recommend it to the House." This is not the way in which addresses were formerly voted. The speech used formerly to contain a general view of the state of the country, both foreign and domestic ; and two or three days had been suffered to elapse before an answer was returned. Now we are called on to decide, without having any opportunity of considering the speech or address ; and the apology always is, "O ! it contains nothing ; it pledges you to nothing ; and therefore you may agree to it." He could have wished that a separate address had been voted on the subject of the Princess Charlotte ; and that the grief of the House had been more decidedly marked. He had been unjustly represented as an enemy to the House of Brunswick. "I never was an enemy to that House ; and therefore, I wish to state my unfeigned feelings of regret at the deplorable event which has filled the country with grief—which has fallen with dreadful violence

on the House of Brunswick—which has deprived it of its greatest ornament." The feeling manifested on this occasion, must do away, he conceived, with the idea of that disaffection with which the country had been charged. "I am sure, Sir, if the last and greatest plague of Egypt had fallen on this country—if, on the breaking of the morning, we found one dead in every house—the sorrow of the people could not have been more poignant, or more generally expressed. If any persons believe that there are enemies to the House of Brunswick—if any persons think that disaffection towards it exists—they must be taught, by the uniform conduct of the people on this melancholy occasion, that it is not directed against that part of it which is dignified by virtue."

Lord Castlereagh did not intend to discuss at present the numerous and irrelevant topics which had been touched upon in the course of the debate. Nothing could be farther indeed from his thoughts than to complain of the allusions made to that awful calamity, which the nation deplored. But topics of a very different nature had been introduced ; and attempts had been made to create a feeling, as if the insurrection at Derby had been excited by the agents of government. This was not the proper time to enter into a full refutation of the calumny. But such a time would come, and he would undertake then to disprove the assertion as strongly and as completely, as that which was not the truth could be disproved. In the mean time, he would assert, that there was not a scintilla of evidence produced during the trials to implicate Oliver in the transactions of the criminals ; nor was there any one circumstance connected with the whole proceedings, which in any way implicated Oliver, excepting the last words

of one of the unfortunate men, and these were uttered under circumstances which must strip them of all title to notice. When the time for discussion came, he was fully prepared to justify the course adopted by his Majesty's government. No information would be withheld on this subject; and he was confident it would appear, that if the powers intrusted had been great, they had been used in mercy and in justice; and that they had been the means of conducting the country through very formidable dangers to its present tranquillity. He did not wish to lull the country into a feeling that there was now absolutely no danger, and that the peril was quite gone by. The happiness was, that it was so much diminished, that extraordinary powers were no longer necessary to overcome it. On the whole, whatever difference of opinion might prevail as to these points, he confidently expected unanimity on the subject of the address.

After a few words from Mr Bennet, declaring his confidence of proving all that had been alleged against ministers, Mr Brougham stated his anxiety not to disturb the unanimity which prevailed in the House on such an occasion. This disposition was confirmed by the declaration of Lord Castlereagh, that it was at length the intention of ministers to produce evidence as to the state of the nation before a committee of the House. Until this inquiry took place, it would be premature to give any judgment upon the question. Meantime, he would only say, that his own opinion remained unaltered, that the evidence and the want of evidence, alike shewed those measures to be quite uncalled for.—Lord Cochrane denied all the statements of ministers as to the present state of the country. Their allegation of prosperity, and their proposition of improvement was really a

mockery of the public understanding. It was obviously impossible that any country could go on in the state in which England was at present, with a falling revenue and a starving people—with a greater degree of misery among the population, than was to be found under any arbitrary government which the British ministers might desire to imitate.

In the Lords, Earl Stanhope made a speech of a somewhat ultra-royal character, going probably beyond the views and wishes of ministers. He drew an alarming picture of the present state of France, where he conceived Louis XVIII. and the Bourbons to be the objects of unlimited odium, so that only the presence of the allied forces prevented the nation from rising against them. Yet he highly approved the measure of imposing them upon France, as on a conquered nation, with whom we had a right to do what we pleased. We ought to keep our troops in France for the utmost period allowed by treaty, and longer if necessary, adhering rather to the spirit than the letter of that agreement. He would have preferred to have divided France, as in Cæsar's time, into three parts, and placed separate dynasties over each. At all events, ministers must now, for the very reasons which rendered Louis so unacceptable to France, support him on the throne as our only pledge of peace. That peace they had nobly conquered, and of that peace the best guarantee was Louis XVIII. His government could not be destroyed without striking at the root of social order in every surrounding nation. A revolution there would not only be attended with calamity to France and the Bourbons, but to every part of Europe; and it would be impossible to predict what the extent of its effect might be, as it was in the year 1793. It was obvious that

the event of a change, the man who, by force or fraud, should attempt to gain the supreme dominion of the French people, would endeavour to effect his purpose by proposing that which was dearest to the heart of every Frenchman—foreign conquest and foreign dominion: and we should then see their armies again devastating the face of Europe, and pursuing the same course of rapine and aggression that had marked their progress during the last twenty years. Had their lordships sufficiently considered the character of that people?—a people the most unprincipled on the face of the globe—a people who had pursued the career of slaves and robbers, and were now the most abject of the human race. If the calamities of the last twenty years were to be renewed from the same quarter and to the same degree, for what purpose had we fought and bled?—for what

purpose had we triumphed?—what was the object of all our toils, and all the privations occasioned by the burdens of war? The laurels we had reaped would but wither on our brow, and all our battles have been fought in vain.

The Marquis of Lansdowne, appearing as the organ of opposition, went over the ground agreed on by them of joining warmly in the condolence in the afflicting event in the royal house; at the same time declaring his scepticism as to the necessity of the Suspension Act, and as to the existence of any extensive or alarming conspiracy. His Lordship admitted, slowly and with hesitation, the improved state of the country; but concluded with stating his intention not to make any opposition to the address.

The address was carried in both Houses *nem. con.*



## CHAPTER II.

## PROCEEDINGS RELATIVE TO LAST YEAR'S DISTURBANCES.

*Repeal of Act suspending the Habeas Corpus—in the Lords—in the Commons.—Secret Papers relative to the internal State of the Country, presented to both Houses.—Committees appointed to examine and inquire into them.—Petitions from Sufferers under the late Suspension Act—Motions on the subject in both Houses.—Reports of the Secret Committees.—Bill of Indemnity—in the Lords—in the Commons.—Motions relative to the employment of Spies and Informers—by Mr Fazakerley—Mr Philips.*

THE first Parliamentary preliminaries being adjusted, Ministers lost no time in redeeming their pledge, by proposing the immediate repeal of the act for suspending the Habeas Corpus. This measure originated in the House of Lords, where, on the 28th January, Lord Sidmouth presented the Bill, at the same time moving, that the standing order relative to the progress of public bills should be suspended, that there might be no delay to its passing. Before the second reading, however, Lord Holland rose and stated, that though he certainly did not mean to oppose or obstruct the motion, he yet conceived that it ought to be attended with an inquiry into the grounds on which the measure had been adopted, and the erroneous and imperfect evidence which, as he conceived, had been offered by his Majesty's ministers. They had been either actually the tools of wicked and designing men, or had been led away by the desire of obtaining undue power to themselves. Believing, as he did,

that the whole of their Lordships' proceedings in passing the act for suspending the Habeas Corpus had rested upon garbled and unfair evidence, he must state that he could not be satisfied with the mere repeal of that act, and that he thought an inquiry into the grounds on which it had been passed ought to be instituted. No proceeding could have been more dangerous to the true interests of the country, than that to which their Lordships had given their sanction on evidence so totally imperfect. The right which had been suspended, he wished to remind them, was not one which had been granted by any act of Parliament whatever. The personal liberty of the people was no concession. It was a right antecedent to any statute, and equal to the right of their Lordships to vote in that house, or to the right of the King to sit on the throne. The mere repeal of such an act was not sufficient, without some proof, which would demonstrate to posterity that they considered them-

They pledged to guard against such unjust encroachments. During the time of the Popish plot, of the Rye-house plot, or of any other plot, it had not been thought necessary to deprive the subject of personal liberty. Nothing which had passed in Derby or in Scotland appeared to him to afford the least justification of the measure; nor, if the country was in better circumstances now than last year, could this be considered as at all arising out of the suspension. It was no longer asserted that blasphemous productions were in circulation; but if they had been put down, was it by the threefold prosecution of Mr Hone? He wished not to justify that species of publication, but he did not believe there was a man in the country so weak as to believe, that these parodies would ever have been questioned had they been directed against the opponents of government. This had been the case with regard to parodies of a much more indecent nature, made upon the words of Scripture itself. He trusted, if a committee were appointed, it would be one that would make an effective inquiry, and not take upon trust the garbled and imperfect statement of ministers.

Lord Sidmouth expressed surprise at the course taken by the noble lord. In justification of the act of last Session, he referred to the report of the committee, which, he assured the House, had been furnished with the most ample means of judging. He conceived the benefit to be great which had been derived from the suspension act. There never was a greater contrast exhibited by the country than that which the comparison of its present state with that of last year afforded, and he would now maintain, and if the occasion should arrive, would prove, that the act of last Session had mainly contributed to this result. The effects it had had in many parts of the

country did not rest on assertion: they were already proved. The magistrates and persons best informed in the county of Leicester, stated, on their own knowledge, that the passing of the Suspension Act had produced tranquillity in manufacturing districts where the greatest alarm for the peace of the country had previously existed. In another place, where there had been a more formidable manifestation of treason, the good effects of the measure had been still more apparent—he meant that insurrection, in consequence of which a bill of indictment had been found against the offenders who were tried at Derby. On that occasion, ten of the persons accused fled; four were sentenced to suffer death; and in all, thirty-one confessed themselves guilty of treason, some of whom were transported, and the remainder pardoned. These men, besides making a confession of their guilt, gave certain information, that an insurrection of a much more formidable nature than that in which they had been engaged was in contemplation, and would infallibly have taken place had not the Habeas Corpus Act been suspended. Although many of the disturbers of the public peace were in a mean situation, and without any adequate resources to accomplish their objects, yet they might have had the power of giving rise to serious commotions. In fact, however, many of them were far from being men of contemptible talents, but possessed powers which enabled them to exercise an extensive influence over the lower orders. In regard to Mr Hone, ministers had been repeatedly reproached, both in and out of doors, for taking no legal measures to repress the tide of irreligious publications. This prosecution had not been prompted by any hypocritical motives, but appeared peculiarly called for by the circumstances of the times. Repeated opportunities would occur of discuss-

On this subject, and he would now announce the intension of the Prince Regent to lay before their Lordships papers touching the internal state of the country, which would be disposed of in the manner their Lordships might decide.

After this conversation, all the different processes through which the bill was to pass were hurried over in the course of this single day, and it was sent down to the Commons.

On the following day, the 29th, the bill was introduced into the Lower House. It was received nearly in the same manner, the only distinctive feature of the debate being a motion made by Lord Folkestone on the subject of the recognizances, into which a number of persons apprehended under the act, had been made to enter previous to their liberation. Something was due to those persons, and the bill ought, therefore, to be more than a repeal. As far as he was able to learn, and he had taken every opportunity of examining into the subject, it appeared to him that all those persons taken up under the Suspension Act, who had been discharged on their recognizances, were unfairly dealt with. There was no law authorising magistrates to demand such recognizances from them. These men had, he apprehended, been very ill used, and might be exposed to further ill usage without any remedy, if provision was not made in the bill now before the House. There existed no proper legal authority for binding these persons on their recognizance to appear on a certain day. A recognizance could not be demanded from a man, without an accusation against him, on the oath of some individual whom he might have an opportunity of confronting. He did conceive, that by merely repealing the Suspension Act, they would not be going far enough, and that a clause ought to be introduced for the purpose of vacating the recognizances which had been so ille-

gally demanded. He had drawn a clause to meet the difficulty, which he should propose in the proper stage.

The Attorney-General insisted that this question was one, which ought rather to come before a court of justice. There were often cases in which, though there might not exist grounds sufficient to bring a man to trial, it might be important to have him bound to appear on a certain day. In this case, to take only his own recognizance, without demanding bail, was an indulgence rather than an injury. He conceived, that magistrates, in such circumstances, had a right to exact recognizances; and this right had been exercised in all former similar periods. But the fact was, that no objection would have been made to the release of these men, and the discharge of their recognizances long since, but for their determination to prefer in court objections to the right which had been thus exercised. "In a conversation I myself had with some of them, they stated, that they had objections on points of law to urge when brought up; and I, as well as others of his Majesty's servants, thought it best to let their recognizances stand over, that they might avail themselves of the opportunity to discuss the point. Whether I have acted rightly or not in this respect, I will leave to the result; but I have the satisfaction to reflect, that it cannot be said I have precluded these persons from making use of the advantages they imagined they possessed."

A long and desultory conversation followed. Mr Brougham observed, the persons detained under the Suspension Act were bound on their recognizance to appear in court on a certain day, that is to say, the bill would still be in force against them. Various things might be demanded from men confined under such circumstances, on the condition on which they could obtain their

liberation—they might be compelled to pay £. 100—they might be asked to go down on their knees and beg the minister's pardon—or they might be asked to give recognizances to appear, on a certain day in court, and from time to time afterwards ministers had chosen to demand a recognizance; and, with few exceptions, it was deemed advisable to accede to their demand. Could any man, however, say, that they had the power to demand such recognizances, and to detain those individuals who refused to grant them, without the Suspension Act? Why then these recognizances necessarily flowed from the Suspension Act, and ought to be vacated by the repeal. The Solicitor-General, however, replied: "The power created by this act was the power of preventing the accused being brought to trial in the usual course of proceeding. If this act had never passed, it would have been as competent to the parties to dispute the legality of the recognizances, as if it were to continue until the time of trying the question. We are now discussing what does not concern the merits of the Suspension Act, nor flow out of its enactment." At length, the Attorney-General stated, that his declining to discharge the recognizances had arisen solely from his desire to afford to the parties the wished-for opportunity of having their objections legally argued. Since this was made a matter of complaint, he had no sort of objection to discharge them all forthwith. Upon this understanding Lord Falkstone withdrew his objection to the clause, when the bill was read a third time, and passed.

The repeal of the Suspension Act was followed up by ministers with the presentation, on the part of the Prince Regent, of secret papers, relating to the internal state of the country. Under this title Parliament was invited to take them into

consideration. In fact, they were understood to be justificatory documents, destined to prove at once the necessity which had existed for the late suspension of the Habeas Corpus Act, and the propriety with which government had used the powers intrusted to them. These papers were presented to the House of Lords, by Lord Sidmouth, on the 2d February, and to the House of Commons, by Lord Castlereagh, on the 8d.

On the 5th, Lord Castlereagh moved that the papers should be referred to a secret committee. It would be premature, he observed, at this stage, to enter into any discussion upon the state of the country. He denied that the papers in question were intended to lay the foundation of any specific measure. He certainly admitted, that there was an intention of proposing an act of indemnity, not as destined to grow out of the report of the committee, but as necessarily arising from the former law. Much of the information on which the government had acted was necessarily such as could not be disclosed, consistently with the safety of individuals, and with good faith to them. Magistrates had often been called on to act, for the sake of the public peace, on information which they could not justify on the letter of the law. He should distinctly avow, that a bill of indemnity was necessary, after such powers had been intrusted to a government; and this claim might be strengthened by, though not founded on, the report of a committee. That committee would also shew the public what the state of the country was; for, though the prosperity of our commerce and the vigilance of the magistracy had put an end to the great mass of danger, it would be a false view of the state of the country to suppose that the danger was at an end.

Mr. Tierney said, there could be no

objection to refer to a committee any papers presented by the crown; but it appeared to him an unheard of proceeding, to present these without any accompanying message or explanation. There came down simply a bag, called, indeed, in the votes, a bag relating to the internal state of the country; but there was nothing on the outside to shew this. "I view with a proper jealousy every thing that comes from the throne, and especially when it comes in this mysterious manner, and accompanied by a more mysterious speech from the noble Secretary of State; and I think I have reason to suspect there is something at the bottom of it which has not been owned. The truth of the matter is this:—The Ministers know, that by their proceedings in the last year, they have, for the last months, been making out a *prima facie* case against themselves in the mind of every man in the country; and now they want to have a case made out for them, and that under the sanction of a committee of secrecy. The noble Lord, with the candour of which he gives such frequent examples, says he should have no objection to a bill of indemnity. No one will doubt, without this candour, that he wishes for a bill of indemnity if he can get it; and to this end he proposes a committee, chosen by ballot, to sit on the papers in this bag. Why, this is one of the coarsest juggles which had been ever played off upon mankind." Mr F. insisted, that the Secretary of State had not, as he ought, merely taken up persons of influence and extensive connexion, but had gone, as it were, through the country with a drag-net, taking up whole classes of men. Alarm had been the daily bread of administration; but the country were now better informed. He solemnly declared, upon his honour, that after all the events and trials that took place during the recess—and he had considered and

examined all of them with every attention in his power—yet, after the most careful and impartial examination, he would solemnly declare, without any party bias, that not one case occurred which in his mind shewed the suspension to be necessary. If a man was detained one hour beyond the time which the safety of the country required, the ministers were guilty of an abuse of power. The right honourable gentleman had to justify the ministers on another point—the employment of spies. If there was one thing more disgusting than another to every honest man in the country, it was the publicity with which the ministers had justified the acts of those infernal counsellors, who had been employed for the purpose of procuring information. A right honourable gentleman had promised to satisfy them that no agent of government had done such acts. God grant that the right honourable gentleman might succeed, for the credit of the age; but he could not whitewash spies, or detach them from everlasting infamy! This was a task beyond the reach of his splendid oratory. If ministers were satisfied that they could conclusively establish their innocence, why resort to the hackneyed mode of a committee of their own friends. No one could doubt what would be the result. This committee would first praise the ministers for their wisdom and humanity, and next propose an act to shelter them from any legal responsibility—thus asserting at once that ministers were right, and that they ought to be sheltered from the consequences of being wrong. But if ministers themselves were conscious of having been right, nay, if they were not conscious of being guilty, why proceed as they had done? They had, in fact, filed a bill of indictment against themselves, probably with a view to prevent others from preferring an indictment against them; and then

they came forward in a tone of defiance, exclaiming, "This is our green bag—who dare touch our green bag?" Mr Tierney was convinced that such a proceeding would never satisfy the House of the country.

Mr Baines observed, that the course now proposed, but objected to by Mr Tierney, as not agreeable to precedent, was exactly the same which had been followed in 1801, with the sanction of the right honourable gentleman himself. It had then too been followed by an act of indemnity, Parliament justly feeling, that government ought not to be compelled to give up the sources of their secret information. Although no person of rank had been concerned in the conspiracy, the report of last year had shewn, that it was extensive among the middling and lower classes. The heads of it, such as they were, had been taken into custody, and it had thus been prevented from exploding, unless to a very limited extent. He was enabled to say, that government had thus saved the lives and property of many of his Majesty's subjects, who would have been otherwise exposed to the same atrocity which had marked the insurrection in Derbyshire. He conceived it impossible to doubt that insurrection to have been connected with a general plan, the execution of which had been prevented by the manner in which government had exercised the powers granted to them by the Suspension Act. As to the question of ballot for the proposed committee, most of those who heard him had lived long enough to know, that it was the practice of the treasury to recommend a certain list of names to be appointed upon a committee. But although the government recommended, it was still for the House to appoint, and if the House made an improper selection, the responsibility belonged to itself. He remembered the ingenious and impres-

sive argument of a right honourable gentleman, now no more, (Mr Windham) upon this subject. That distinguished gentleman had justly observed, that upon any question for the appointment of a committee, it was likely that persons would be selected who were agreeable to the majority. So it would come to this at last, that if there even were no recommendation from the treasury, persons would be appointed to such a committee who would be rather more agreeable to the majority than to the minority of the House. Hence, he argued, that for the ultimate appointment of any committee, that House, and not the government, was responsible. With regard to the observations made on the employment of spies, with particular reference to one individual, he maintained that government were perfectly justifiable in receiving information from persons engaged in a conspiracy. That individual, instead of producing mischief, had actually rendered great service to the country. A late lamented member of that House had been satisfied that such was this person's conduct. The fact was, that this individual had become acquainted with the conspiracy by accident, and he communicated his information to government. He was employed, upon this communication, to continue his connexion with the persons through whom he obtained his information; and, in order to obtain their confidence, he must, of course, appear to concur in the views of the conspirators, among whom he was introduced by a principal conspirator.

Mr Douglas considered the ballot and secret committee as a mere juggle of ministers, which would in no degree satisfy the country. He admitted a conspiracy arising out of Judaism, but it had been put down by the energy of a single individual, the overseer of the Butterly iron works, who sold half the conspirators away. He

did not think that Ministers had made out their case in regard to the employment of spies.

Sir S. Romilly fully admitted the necessity of an inquiry, but differed entirely from the noble Lord as to the nature of it; a committee upon whose report no legislative act was to be founded, appeared to him absurd. It was admitted that tranquillity was restored, the Suspension Act was repealed, the prisoners liberated. What then was the purpose of this committee? Why, solely to procure a report in defence of ministers, with the recommendation of an act of indemnity; which it was felt must necessarily be preceded by at least the appearance of inquiry in the present state of public opinion. He would be surprised at such a proceeding, if any thing on the part of ministers could excite his surprise. After the moderation and mildness of which ministers had boasted so much, it now appeared, that they sought the shield of an indemnity. He hoped that a most ample investigation would take place into every part of their conduct. After admitting, that tranquillity had been restored in September, and liberating the prisoners then confined, they had incurred a most serious responsibility by not calling Parliament together till January, for the purpose of resigning these extraordinary powers. It had been admitted, and the admission furnished fresh argument in favour of inquiry, that the very same persons who represented to the unfortunate deluded individuals, that there were fifty and seventy thousand men in different places ready to rise, that those very persons were examined before the committee, in order to prove the existence of that plot which they were instrumental in producing and encouraging. This fact had been acknowledged by the committee themselves. After this the minds of the people would never

be satisfied by the mere appointment of another committee by ballot. Nothing had appeared in the trials at Derby to shew the origin of the conspiracy, or disprove the allegation of its having been caused by the agents of government. The general impression was, that if Ministers had gone into that part of the case, it would be found to have originated with the persons employed by them in the different districts. He did not mean to say that it was positively the case, but such was the impression on the public mind. Parliament were bound, by the most rigorous inquiry, to do away the mischief of the precedent which they had established—a precedent which was not only fraught with mischief, as it was employed to tear away individuals from their families, to plunge them in solitary confinement, to load them with irons, and expose them to all the rigours of arbitrary imprisonment; but as it must operate upon the constitution itself in the present and in future times. Even, the mass of individual suffering that was experienced under this act, was far outweighed by the incalculable advantages entailed upon the general system of our government. They were bound to see how far they could do away a part of the poison, which, if not mitigated in its effects, was fraught with the most alarming evils to posterity. They might look forward to some future minister, anxious to increase the power of the crown long after the grave had closed upon the present generation—they might suppose some future sovereign of the House of Brunswick, but feeling in his breast the principles of a Stuart willing to avail himself of such a minister, preferring rather to imitate the despots of Europe, than to resign the hearts of a free people. What a precedent had they furnished to facilitate such designs, by suspending the

**Habeas Corpus Act** at a period when there was no war, no pretender to the throne! in short, no other pretence for its adoption than those expressions of discontent which always broke forth in a free country when governed by a weak administration, with whom the feelings of the people did not sympathise.

Mr Philips followed on the same side, and particularly inveighed against the employment of spies.

Mr Wynn was free to declare, that his conviction of the necessity of the Suspension Act remained unchanged; that it had been confirmed by every thing that passed in the country, and by all the evidence that was disclosed on the trials alluded to; that it had averted threatened danger, and that by it the country had been preserved from confusion. It had been said, that if the ministers had taken advantage of it, they might have prevented the disturbances that broke out in Derbyshire. He had understood an honourable and learned friend to say, that by apprehending the ringleaders of the insurrection in Derbyshire at an early period, under the Suspension Act, the mischief would not have followed; but however that might be, it was not a proper argument against a measure of prevention, that the evil did not occur which it was intended to prevent. It had been said on the trials at Derby, that the prisoners expected co-operation from the north, and from various quarters. He believed that their hopes were not without foundation. He believed, from evidence gained on other trials, and by other means, that bands from Manchester, York, &c. and other places, were prepared to break out about the same time. In Yorkshire, an insurrection did take place; an armed mob fired upon the King's troops, and the greatest disturbances were threatened. If it be replied to this, that there was

no conviction, he would say, that though, from the darkness of the night, and the difficulty of identifying the persons who had assembled to commit the acts of violence, a verdict could not be obtained against them, yet the fact of the insurrection was no less true and undoubted. In the trials at Derby, enough had been brought out to produce conviction, and he saw no occasion for going into the origin of the conspiracy. When the overt act and intention could be proved, there was no necessity for going into all their previous counsels. He therefore thought that the prosecution behaved properly in not calling such extraneous evidence, and that no suspicion could be thrown on the policy of the Suspension Act by withholding it. This measure was extremely useful in preserving the public tranquillity, till the circumstances of the country were altered, and till the people, by the attainment of a more prosperous state, were withdrawn from the influence of those who exasperated their discontents into disaffection. With respect to the appointment of a committee by ballot, or otherwise, he thought it a question of no importance, for there was no reason to doubt that exactly the same men would be chosen, whether they proceeded by ballot or by motion. The ballot was resorted to for the election of a Committee, because it was thought that some members who would not chuse to act ostensibly against the administration, would yet vote against them under this cover of secrecy. He did not know if this would be the case, but at least such was the ground of its adoption.

Sir W. Burroughs was of opinion, that the conduct of ministers themselves shewed the total want of any necessity for the Suspension Act. If the persons apprehended under the act had formed the atrocious designs



imputed to them, of subverting the government, of burning London or Manchester, how could Ministers account to their country for having liberated them without a trial? On what plea could they be discharged, first with the idle farce of taking their recognizances, and afterwards from their recognizances? If this was not a confession that the Ministers had nothing to produce against the alleged traitors at Manchester, and that the evidence on which the report of the committee in which they were arraigned was unfounded, they incurred a heavy responsibility for sending back such dangerous characters into society. Their conduct was inexplicable on the supposition that the report was true, and the Suspension Act could not be justified on the ground that it was not. No events happened since to justify such a measure. If he might advert to one melancholy event which had united the nation in one common expression of sorrow, he might draw from it an irresistible inference, that the minds of the people were sound, and that their attachment to the House of Brunswick remained unshaken. Never in any country was there more sincere or more general sympathy, and never did any nation more unequivocally testify their affection for the family of the sovereign. He was decidedly against a committee by ballot, and an act of indemnity.

Sir John Sebright had formerly voted for the Suspension, but was now convinced that he had been grossly mistaken, and that there had been no necessity for arming ministers with such extraordinary powers.

After a few words from Mr Ellison, Mr Saville, and Mr Forbes, the question was put and agreed to. The reference to a committee of 21 was also agreed to.

The question now came relative to the election of the committee by bal-

lot; and upon this the opposition members had determined to divide the House. Mr Brougham put a question, whether, in case of Lord Castlereagh being returned in the list given by the scrutineers after the ballot, there would be an opportunity of taking the sense of the House on his or any other individual name. Mr Canning replied, that the name having been given in by the majority of the House, it appeared to him absurd to appeal from its decision to that of the minority. Mr Brougham and Mr Tierney declared themselves dissatisfied with this explanation, but no other was given. The motion for the election by ballot was then carried by 102 against 29.

On the following day, 16th February, the committee was balloted for. The process was very simple, as the members opposed to ministers declined to give in any lists. The following were the members chosen:—Lord Milton, Lord G. Cavendish, Mr W. Wynn, Lord Castlereagh, Lord Lascelles, Mr Bathurst, Mr Lamb, Sir Arthur Pigott, Sir W. Scott, Sir John Nicholl, Mr Solicitor-General, Mr Attorney-General, Mr Canning, Mr Yorke, Mr Egerton, Mr Wilberforce, Mr Bootle Wilbraham, Mr W. Dundas, Mr Peel, Sir W. Curtis, and Admiral Frank.

Mr Brougham appealed to Lord Castlereagh, whether he ought to sit on a committee which was to decide on his own conduct; but his Lordship replied, that if he could not sit on such a committee, he did not see how he could vote or exercise any function in the House. It was stated by Sir M. Ridley, that Lord George Cavendish, admitted by him to be an excellent member, was at a considerable distance from town, under circumstances which would render it impossible for him to attend, Mr Brougham urged the substitution of another name,

and was recorded by Mr Wilberforce, who, however, expressed his general approbation of the method of ballot. The Speaker, however, observed, that there was no precedent for the substitution of one name for another in such a case, and that it would be in a manner jumping over several of the principal orders. Mr Calcraft, however, insisted on the propriety of filling up the place of any member who could not attend. He conceived, there was no mode in which the influence of ministers was so great as in that of ballot. He had himself been a scrutineer upon the appointment of this committee by that method. He did not suppose there was any thing secret in what he was saying, but if there was he would not proceed.—(Cries of No, no.)—He had not been sworn when he was appointed a scrutineer. There were, upon this occasion, 103 persons who had put lists into the glass, and amongst those there were 97 not only identically the same, but in the same handwriting. Whose hand it was, or whence the lists came, he would not presume to offer a conjecture. But if his hon. friend had considered for a moment, he was persuaded he would have inferred, that the quarter whence they came was not very doubtful. The debate was closed, however, without any step being taken upon this question.

The motion for the secret committee of the House of Lords, was made by Lord Sidmouth on the 3d of February. The debate was carried on by the Marquis of Lansdowne and the Earl of Carnarvon, on the side of opposition, and by Lord Sidmouth and Liverpool, on that of ministers. It was short, and went over the same ground as in the Commons. The only peculiarity was that, whereas the committee of the other house was invested with power to call for persons, papers, and records, such a clause was stated by Lord Sidmouth to be inconsistent

with the practice of the upper House. But the committee might suggest any evidence that they might consider necessary, and apply to the House upon the subject, when either witnesses might be sworn at the bar to attend to give evidence before the committee, or the House might order papers to be produced for the information of the committee. The Earl of Carnarvon maintained that the full powers granted to the other committee were indispensable; but Lord Liverpool considered the precedents against such a clause as quite decisive. The motion was agreed to, and on the 5th, the choice fell upon the following members.—The Lord Chancellor, the Earl of Harrowby, the Duke of Montrose, the Earl of Liverpool, Marquis of Camden, Marquis of Lansdowne, Earl Fitzwilliam, Earl of Powis, Viscount Sidmouth, Lord Grenville, and Lord Redesdale.

As soon as these arrangements were completed, the attention of the House was immediately called to a series of petitions from persons who complained of the sufferings they had undergone under the operation of the Suspension Act. The petitioners were, Philip Drummond, Francis Ward, John Knight, Samuel Haynes, Joseph Mitchell, Thomas Evans, William Ogden, John Stewart, and William Benbow. The general tenor of their complaints was, that they had been seized, while pursuing their peaceable occupations, without being accused of any crime, and without being able to dream of any of which it was possible to accuse them; that they had been denied all means of proving their innocence; that they had been treated with severity, and had sometimes been scarcely supplied with food sufficient for their support; that they had been sometimes mixed in the same room with common felons; that they had been confined in damp or ill-ventilated apartments, by which their health had been

seriously affected; and, that their pursuits and prospects in life had been injured, or even totally ruined. These petitions were brought under discussion by Lord Folkestone, in the House of Commons, and by the Earl of Carnarvon, in the Lords.

Lord Folkestone stated, that he was particularly anxious to bring this subject before the House, since it had been intimated by a noble lord, that a bill of indemnity would be asked by the servants of the crown as a matter of course; and several persons appeared to think that it was really done to them without any investigation. But if he knew any thing of the principles of the constitution, such a bill ought not to be passed, till the House had ascertained that ministers had not exceeded their powers, and that the people had not suffered injury. The Habeas Corpus Act had been suspended ten or twelve times in the course of the last hundred and twenty-four years; but a bill of indemnity had been asked only once, and that was in 1801, by the same ministers as now. They acted wrong in the first instance, and now they sought to benefit by their own wrong. It appeared to him clear, that the dangers of the country had been greatly exaggerated, and that there never was any good reason for suspending the Habeas Corpus Act at all. He did not conceive, that this act gave any authority to apprehend without a warrant issued in the usual form. He would not now dispute the power of the Secretary of State to issue such warrants, though it appeared to him a great anomaly. But certainly it ought not to be exercised without attending to certain forms, of which, those at least ought to be observed, in cases of high treason, which are required in apprehensions upon the inferior crimes of felony, or breach of the peace. Next, with respect to the treatment of those persons in prison, he knew he

should be told that on this subject there was great exaggeration, and it might be so. He himself had happened to see the directions sent down by the Secretary of State to one of the prisons where several of these persons were confined. It was a particular order that irons should not be used unless necessary. But though the Secretary of State gave such directions, he took care that the magistrates should not be allowed to see whether these orders were attended to or not—whether or not the persons were subject to ill treatment—and therefore, notwithstanding the order, he would say, that the Secretary of State was responsible for every instance of ill treatment contrary to his own directions. But supposing even that their ill treatment was exaggerated—supposing even that the evils which they endured might be described too emphatically—it was by no means wonderful, that men taken as the petitioners were from their families, and detained so long in confinement, should be very impatient under their imprisonment, and express that impatience in terms of strong resentment. But there was one part of their treatment which was apt exaggerated—their solitary confinement—a thing unknown to our old law, and in the opinion of many persons to grievous a punishment, that it was not inferior to death itself. He contended, moreover, that the mode of discharge involved as great a hardship as the mode of commitment. It was illegal, because it was contrary to all the statutes from Edward the First; and unjust, because it left the parties with a stigma on their characters, which, if they had been tried, would most probably not have attached to them. It might appear strange, that he who was so decidedly against the state imprisonment—who thought the arrest and treatment of the persons who had suffered by them were uncall-

ed for and oppressive—should yet complain of their discharge; but on a little consideration it would be allowed that he was perfectly consistent. He complained of the manner in which these men were discharged, because it took from them all remedy—because it deprived them of all means of clearing their character, and obtaining compensation for the losses they had suffered, and the hardships to which they had been subjected. But this was not his only motive, nor was it the only duty of the House to see these men righted. It was the duty of the House to take notice of the violation of the laws, and to punish those who were their violators. He firmly believed that ministers had seized such humble victims, because no others would have submitted quietly to their fate, or accepted their discharge upon such conditions. He had been told that Francis Ward, whose petition he had made the ground of his motion, was a bad character, and therefore unworthy of the attention of the House. But he would ask, on what ground the charge was advanced? Had he done any thing which had been proved against him? Had he been convicted of any offence? On the old maxim of law, which he was sorry to see discountenanced by some members of the House, every man ought to be presumed innocent till he was found to be guilty. He had received testimonials as to the good character of Ward, and thought if ministers had known him, to be so bad a character, they would have apprehended him sooner than the end of June, after the disturbance. At all events, he grounded his motion not on the character of the petitioners, but on the breach of the law. He moved that a committee be appointed to examine into the truth of the allegations of the said petitioners, and report their opinions thereupon to the House.

Lord Castlereagh observed, that ac-

cording to the notice given, this ought to have been merely an inquiry into the case of Ward, to which he should not have objected; but since the noble Lord had very prudently thrown Ward into the background, and proposed a general investigation, the case was changed. He could not compliment the noble Lord on the degree of historical research shewn in the assertion, that there had been no Act of Indemnity till 1801. In the reign of King William there were not less than three bills of indemnity passed. There was one after the rebellion in 1715, and another after the rebellion in 1745. In fact, the noble Lord would find, that an Act of Indemnity had been granted in every case where a Suspension Act had passed. He denied that ministers had committed any unnecessary severities, or had been guilty of any acts of cruelty and injustice. They had not committed a single individual on the testimony of Oliver, nor had a single arrest taken place without the testimony of credible witnesses, and the authority of the law officers of the crown. The committees of both Houses last session, without one dissenting voice, had recommended that government should be armed with extraordinary powers; they had received these powers from Parliament, and would not have been justifiable had they not employed them, when occasion required, for the public safety. He agreed that all the forms of law ought if possible to be preserved; but he would put a case:—Supposing a magistrate had offered to the Secretary of State evidence on oath, on the truth of which he completely relied, affecting the existence of the government, or necessary to the preservation of the public tranquillity, and supposing that that magistrate could only obtain and transmit such evidence on condition that the names of the witnesses were to be concealed, or that neither he nor they were to be exposed,

to the consequences of giving such important information—could his noble friend, acting on his responsibility, have refused to listen to such testimony? or could he have refused his warrant to commit the person whom it affected? It was altogether a false view of the bill in contemplation, to consider it as a bill for the protection of the ministers of the crown; it was for the protection of individuals who had come forward to give information of the utmost importance to the security of the country; but which could not be elicited otherwise than by the prospect of such protection as the measure alluded to held out. The suspension was for the express purpose of protecting individuals from the hazard which might attend the disclosure, in an open trial, of the information which they had given; and without such protection no information could be had, as none would venture to offer it at the risk of his own safety. On such grounds indemnity was always judged necessary, not to cover ministers, but to protect those who saved their country. There was much delusion in the complaints raised upon this subject, several of the petitions not having been even signed by the persons, whose names were subscribed to them. Ward's allegations of ill treatment were entirely unfounded, and as to that moral purity and excellence of which he boasted so highly, it could be very easily brought to the test. Joshua Mitchell, executed in 1816, for the dreadful proceedings at Leicester and Nottingham, on the eve of his execution made a full confession, which was taken down by the magistrates. He stated,—“B shot A—C B told me that Francis Ward had urged him to go to Loughborough to destroy the machinery; he had mentioned the thing to him on Saturday evening, and said there would be a deal of money in it; the workmen had offered to give

100*l.* for the destruction of the machinery. Several of us met at the Navigation-*inn*, and formed our plans. I received from 3*l.* to 4*l.* from Ward for acts performed. Ward gave me 10*l.* for the part I took in destroying the works at Woodpeck-lane, in Nottingham. Our committee met at the Duke of York in Nottingham, Francis Ward was the treasurer. Ward belonged also to the Loughborough Committee. He plotted the outrage at Castle Downington. Ward employed me to shoot a man who had refused to turn out, and offered 4*l.* as my reward.” The House, while listening to this paper, might be disposed to think that what it stated was fabulous. They could hardly be prepared to hear that men had been led to commit murder. The fact, however, had been clearly proved, that assassinations had been regularly planned, and the price of murder as regularly fixed as that of stockings or any common article of traffic could have been. More than one jury had convicted on evidence which shewed that 4*l.* was often the price for shooting a man. The confession went on. “Ward offered 10*l.* for shooting some of Kendall’s men. He offered 10*l.* for shooting another master manufacturer, and 5*l.* for shooting one of his men for working. After the conviction of a man who was tried for felony at the last assizes at Loughborough, Ward offered a large sum for doing out (murdering). We met at the Jolly Bacchus, and when none agreed to do this, Francis Ward took out a golden guinea, and said, he was determined it must be done.” This deposition was afterwards confirmed by that of Thomas Savag, and both were given under circumstances which excluded all idea of their having been biassed by hopes of reward or mercy. He trusted, therefore, that the House would see no room to suspect ministers of any malignant or oppressive tem-

any ground for such an inquiry as was now proposed.

Mr John Smith was thoroughly convinced of the falsehood of Ward's petition, but did not think this a sufficient reason for refusing to go into a general inquiry. Mr Goulding made a number of statements, tending entirely to disprove the allegations contained in the petition of John Knight.

Sir Francis Burdett said, he could not pretend to come to this question without any bias, as it was impossible for him not to recollect that when he charged Aris, the governor of Cold-bath-fields prison, with crimes of the blackest die, but which he was never allowed to prove—gentlemen rose up in various parts of the House, some declaring on their own knowledge, others on statements made by Aris himself, that he was a man of the most kind and benevolent disposition; that he had never been guilty of any cruelty or oppression whatever; that he was a person indeed in whom the milk of human kindness abounded to an extent almost approaching to weakness; and that the prison was conducted on a system of uniform mildness. The Hon. Member for Yorkshire, in particular, had stated, that nothing could equal the attention paid by Aris to the prisoners. Yet Aris was soon after convicted both of cruelty and other enormous offences, and dismissed from his office. As to Ward's character, it was nothing to the House, whether he was or was not a bad man; the only question was, whether he had been legally committed and properly treated. The noble Secretary of State's characteristic mildness and benevolence had been urged as an argument for obtaining extraordinary power, and the same character was now thrust forward as a ground for stifling all inquiry. So that this individual character was to supersede the principles of the constitution and set at nought the ordinary course

of justice, when the power granted to him had been so disgracefully, cruelly, and illegally applied. He should be glad to be informed why Ogden's case was not to be investigated, a man 73 y. old, who was loaded so heavily with irons as to occasion a rupture, and was, like many others, transferred from one gaol to another, and exposed as a spectacle to their countrymen. He had no doubt the house would decide against the motion, upon the bare assertion of ministers; but this would never satisfy the country. He should be glad to know what a House of Commons had to do, if not to inquire into the grievances of the people. When the noble Lord wished to shield his own acts and those of his colleagues, then, said he, appoint a committee; but a committee of his own selection, of which he was himself a member; where ministers sat to be their own judges, and were aided by those who would ask for nothing but what the noble Lord was pleased to shew them, and who would credit any thing which he requested them. "But," said the noble Lord, "it is a great mistake to suppose that ministers want an indemnity; what they wish is, to cover their friends, Oliver, his fellow-spies, and informers." In short, the bill of indemnity was admitted on the other side to be for the protection of those secret and infamous sources of private accusation, whose purpose was to destroy the happiness and reputation of every honest man. Was it possible that at that time of day such an avowal should be made? that in England it should be professed, that innocent men should be solitarily confined, cruelly tortured, and unjustly accused; and should never have an opportunity of discovering to whom they were indebted for all these deprivations and sufferings? The injured men were refused a trial, not from the tender mercies of government, but because they knew that the ac-

quittal of the innocent would be the conviction of the guilty. If this course were pursued, it would be utter nonsense to talk of the happy constitution of England; and if it were to be infringed, far better would it be that it should be done by the King than the Commons.\*

Mr Wilberforce stated, that his having described Mr Aris as a man of humanity, was on the authority of Mr Owen, chaplain-general, and he conceived that the dismissal arose only from blame which attached to him in money transactions. He could not consider the character of Ward as a matter of indifference, and saw no ground for investigation into his case, unless that he might meet with the punishment which his crimes deserved. The charges of ill treatment had been proved in several instances to be utterly false, and he trusted that the House would reject an inquiry, the effect of which might be to mark men out for slaughter, and to send witnesses into the country as victims to private malignity.

Sir Samuel Romilly said, his principal object in rising was, to refute a statement made by the noble Lord, in the humble hope of influencing some few votes, viz. that if the facts stated in the petitions were true, the sufferers would not be deprived of their remedy by the bill of indemnity. How unfounded this assertion was, was evident from his Lordship's next sentence, in which he observed, that the bill of indemnity now required would be the same as that of 1801, which in the first clause expressly enacted "that all personal actions heretofore brought, or which might be hereafter commenced or brought against any person on account of any act, matter, or thing done, recommended, directed, ordered, or advised to be done, for apprehending, imprisoning, or detaining in custody any person suspected of high treason,

should be discharged and rendered void. Although three of the petitions should be proved to contain false charges, was that any reason for passing over without examination all the rest? For instance, why should the fallacy of other petitioners be allowed to prejudice the case of that poor man Ogden, upon whose hands, at the advanced age of 74 years, 30 lb. weight of iron were placed while he was suffering from a rupture. There was at least some ground for supposing that his petition contained truth; for he had referred to the surgeon, Mr Dixon, who had attended, and cured him of the complaint produced by the weight of his fetters. As to the denial given by a gaoler to the statement of a petitioner, he conceived that nothing could be more absurd than the production of such testimony. Ward's character seemed indeed very bad, and if all the allegations against him were true, it was only astonishing he had not before suffered the punishment of his crimes. But this did not justify some particulars of the treatment of which he complained. What could be imagined more cruel than that of which some of the petitioners complained—the privation of freedom and food—of sleep and health? What could be a greater mockery and insult than the parading these men from town to town in open daylight, and loaded with chains? and what possible objects could be answered by such a wretched triumph, except to convince some miserable minds that some extraordinary plot existed against the state? For his own part he believed most firmly, before God, that these continual and unjustifiable suspensions of the Habeas Corpus would—unless the House of Commons should do its duty, which it had not hitherto done—end in the complete ruin of our liberties.

Mr H. Sumner stated, that he could bring twenty witnesses to prove the

falsehood of the allegations in Ogden's petition, and that they had been repeatedly contradicted by himself; he could produce the testimony of Mr Dixon the surgeon, that the prisoner had brought with him the disease of which he was cured, and had expressed his thankfulness for being led to a place where he met with a careful and successful treatment, what he could not have expected elsewhere.

The Attorney-General said, that however the detention of persons charged with offences against the state might be justified under the late act, and admitting that a bill of indemnity, on the precedent of that of 1801, should be passed by parliament, he begged leave to say, that such an act would not indemnify a gaoler for any cruelty or excess beyond that restraint which was necessary to the safe custody of the prisoners. He would still remain prosecutable criminally, and liable to answer to the party injured in a civil action. There were instances, especially in a disturbed district, where fetters might be necessary in order to prevent an escape. With respect to their being sent to distant prisons, the motive was, and he took upon himself confidently to assert it, with a view to the comparative comfort of the detained. What complaints would the House not have heard, if these persons had been huddled together in the crowded prisons of the metropolis? He contended that the spies and informers from whom government had received information, instead of causing explosion, had been the cause why none on a great scale took place; they had paralysed the actions of the conspirators. At the same time he would inform the House, that not even one individual had been deprived of his liberty for a single hour, on the evidence of any of those informers. The informers served government merely as an index to point out more creditable evi-

dence, and unless where the evidence of such persons was corroborated by undoubted testimony, it was not in any instance acted upon. The noble Secretary of State, by great exertion, had broken the link of a confederacy, which threatened society with universal pillage and disorder.

After a few words from Mr Lamb and Lord Folkestone, the House divided, when the motion was negatived by a majority of 167 to 58.

The same motion was brought forward in the House of Lords on the 19th, by the Earl of Carnarvon, who observed, that when, some days before, he presented the petition of Samuel Drummond, he had considered it a matter of course that it would go before the secret committee. It had been appointed at the suggestion of ministers, and its object was to lay before the House an exposition of their whole conduct, and of the state of the country since the report of the last Committee. He hoped the conduct of ministers would be justified; but he was sure that if they wished this to be the result of the inquiry, it must not be entered into merely upon evidence brought forward by themselves, upon a case of their own shewing, and before a tribunal packed by themselves; he said, packed by themselves, for he begged to state to their Lordships, and he was sure he could not be contradicted by ministers themselves, that, in the formation of that committee, regular lists had been prepared, and there was not one name that was not inserted by ministers themselves, or at least upon their nomination. At least, however, he trusted the House would not allow all the information to be supplied by ministers from their own offices. If they left it to the discretion of those gentlemen to prepare, not only their own case, but the whole of the evidence by which that case was to be tried, they might trust to Heaven for



justice, but they might depend upon it, that such facts would only find their way into the committee as were most favourable to parties on their defence. Let them look to the proceedings of those ministers themselves. Before two days had elapsed, after the production of the green bag, containing, as was at first stated, all the information necessary, they shewed that, even in their own opinion, that information was not sufficient. At that time another green bag was introduced, containing God knows what; but clearly intimating that something had been withheld from the former; and if that was not sufficient, even in ministers' own opinion, why might we not have a third green bag produced, as a supplement to the second? As to the object of the inquiry, he would state, indemnity. But was the door of justice to be shut at once against these unfortunate persons by such a bill? Then let them be told so at once, and no longer mocked with hopes of redress. Was there any thing so decisively clear in the conduct and character of ministers, as to authorize the House to prejudice in their favour the case of poor and oppressed individuals? Was it the fact, that ministers stood so high in the estimation of the public? or was there not a feeling without doors, that it was possible a case might be made out against them, notwithstanding the purity of their fame, very different, in its complexion and degree, from what was likely to be, extracted from their own green bag? The question was not, whether Drummond and the other petitioners were of good or bad character, but whether an effectual inquiry could take place without an examination into their case. There was this difference between them and their accusers—the latter demanded a trial, and that their guilt, if any, might be openly proved before the tribunals of

their country. His Majesty's ministers demanded a trial, not by God and their country, but in their own dark chamber, on their own statement, and by judges of their own appointment. Be their characters what they might, be their feelings what they might, the duties of the House, and the feelings of the nation, called for an investigation; to acquiesce in which was the only course which ministers could adopt with credit.

Lord Sidmouth, after observing that the noble Earl had not gone into the merits of the petitions; but had confined himself to the broad ground, that all petitions, of whatever description, ought to be referred to the committee, admitted, that they might be suffered to lie on the table, but that to ask more than that was to say, that petitions of whatever description, (provided only that they were not couched in language disrespectful to their Lordships,) whether frivolous, false, malicious, or libellous, were all to be considered. He did not conceive that their Lordships could assent to a principle of such dangerous latitude. On all modes of investigation, too, in such a case, that of a select committee appeared to him the most exceptionable; a select committee would, he thought, have been more proper. Unless the petitions contained much more information than that which had been read, they appeared to him quite unworthy of notice. Drummond, for instance, had undertaken in his petition to prove the decorum and propriety of the meeting of the 10th of March, near Manchester. The magistrates having notice that the people were then about to proceed in a body to the metropolis, in order to enforce the compliance of the Sovereign with their demands; and that their intentions (as was borne out by the facts) were to proceed to acts of violence, applied for 18 warrants to apprehend those who were most ac-

tive. Drummond was one of the parties against whom a warrant was issued. The people met, to the amount of 12,000, were preparing for their march to London, with the intention of carrying confusion in their train, and addressing the prince in person, and the petitioner was arrested while haranguing them in the most vehement terms. Two hundred other persons were also apprehended for tumultuous conduct at the meeting; but not till the riot act had been read by Mr Holland Watson, the magistrate. The soldiers had no doubt assisted the civil powers; but the character of Sir J. Byng, and the testimony of the magistrates, were pledges that they had strictly confined themselves to their duty. Drummond had suffered no hardship, except simply having been committed. When under examination, he made no complaint whatever of having been ill treated. His manner was not sullen; he spoke freely, and in such a manner, that it was impossible not to regret that a person of his appearance should have fallen into such courses. But there was not one word of complaint as to the mode of his apprehension. His Majesty's government disclaimed any bill or provision for the purpose of protecting themselves or those who acted under them against actions for the cruel and rigorous treatment of prisoners. The only ground on which they resorted to a bill of indemnity, was, because the sources from whence they had derived their information ought to remain concealed. But he disclaimed any protection for acts of rigour, if any could be proved against him. Two other petitions had been presented, which, from his own knowledge, contained the grossest perversions of truth. Of Knight, he knew that every accommodation had been afforded, and nothing could be worse founded than the allegation of Mitchell, that Oliver had been the cause

of his apprehension. The warrant for that apprehension had been signed before government knew any thing of Oliver. He owed it to the injured individual (he would so call Mr. Oliver) to state that he was never concerned in the insurrection at any period of its progress.

Earl Grosvenor admitted, that the Hon. Viscount was a very fit person to be intrusted with extraordinary powers, and that the sincerity and mildness of his nature were so many safeguards against their abuse. Still the House were called upon to send these petitions to a committee. The noble Viscount had misunderstood his noble friend, in supposing that he maintained that petitions of all kinds should be referred to the committee. His noble friend had proposed to send only petitions essentially connected with those objects, which had occasioned the appointment of the committee. But the noble Viscount denied that any such petitions should be admitted. It was admitted that Drummond had been arrested by the military; might not some of them have been drunk or have treated him harshly? There appeared no reason to doubt, that he had been cruelly treated by Nadin, against whom serious charges were brought forward in another place. It was said that these people (the blanketeers) intended to proceed to London, to petition the Prince Regent; such a project was absurd enough, he would grant, but not treasonable. God knew how utterly at variance with a charge of treason was the burst of loyalty which was manifested upon these late mournful events, a loyalty which attached itself not to the gaudy trappings of royalty, but to the hallowed virtues of a Princess who was the glory of her sex; the glory of our constitution, and the glory of our country; after the regret so generally felt, and expressed upon that melancholy occa-

sion, he little expected to hear the country maligned by the charge of treason. As the charge, however, was made, inquiry, he contended, was indispensable.

Earl Bathurst contended, that it was contrary to all usage and precedent, to force information upon a secret committee, when they were not applying for it. The committee might ask for more information, or if their report appeared unsatisfactory, the House need not act upon it. There were two subjects of complaint in the petitions; first, illegal and injurious arrest; secondly, cruel and harsh treatment during the detention of the petitioners. With respect to the second ground of complaint, the indemnity would not reach it, it would not protect from any action which the law allowed on that ground. There would be no clause in the bill of indemnity to prevent an appeal to the courts of law; if any person thought himself aggrieved by cruel and harsh treatment, while detained under the Suspension Act. As to the charge of illegal and injurious arrest, what would the noble Lord propose to be done? Were the committee to examine whether the petitioners were guilty or not, of treason? In that case they must go through the whole trial of these individuals; and if found guilty, must either dismiss, or cause them to be tried over again, under the weight of a strong unfavourable prejudice.

The Marquis of Lansdowne having observed that it was not the practice of a secret committee to call for papers, Lord Liverpool admitted the correctness of the noble Marquis, but said, that they could apply to the ministers of the crown for any papers they wanted; and if they did not obtain them, it was perfectly competent for them to report to the House that they had not had sufficient grounds for coming to any final judgment. The com-

mittee had been appointed in the mode invariably adopted on similar occasions. The ballot differed from open nomination, only in preventing injudicious discussions as to particular names. He felt anxious to submit the information on which ministers acted to persons of all political opinions. The committee was not formed on any narrow or party views. He certainly would not choose to submit his conduct to the judgment of a committee composed exclusively of the noble Lords he saw opposite to him. As to the contents of the petitions, the first ground of complaint was illegal imprisonment; the second, cruel and harsh treatment. With respect to the latter he should only say, with his noble friend, that the bill of indemnity would contain no clause to screen ministers, magistrates, gaolers, or any other description of persons, against the consequences of any cruel or harsh treatment. This point, therefore, was not at issue. As to the other complaint, of illegal imprisonment, which was at issue, he would ask, whether it must not be the complaint of all who were confined under the suspension of the Habeas Corpus Act? This suspension had been seven or eight times voted on former occasions by the noble Earl (Grosvenor.) Its propriety had been repeatedly discussed in the House, and might be discussed again, but had nothing to do with the present motion.

Lord Holland called the attention of the House to the curious remark of the last speaker, respecting his noble friend's conduct on a former occasion. He hoped it would be indelibly engraved on the minds of their Lordships, and he implored them to consider what was the consequence of once voting for the suspension of this sacred bulwark of our liberties; if they were once betrayed by the representations and delusions of ministers to assent to such a measure, they were held to be

incapable ever after of deliberating on the subject. He denied that the Suspension Act gave ministers any power to arrest persons whom they did not mean to bring to trial. The only ground of the act was that it might be necessary to postpone the trial. But after the danger was confessedly over—after a year of national misery, for the subjection of every man's liberty to the will of one must be productive of the misery of all—after forty British subjects had been immured in prisons and discharged without any trial, he submitted that it was not too much to call upon that House for some inquiry into the cause of the arrest of those unfortunate persons, and into the treatment which they experienced while in custody; instead of which, ministers now came forward and said, they had obtained liberty to do all that had been done. They came forward to say that they had been authorized to commit illegally, and to treat their prisoners cruelly. What else could have been expected? After having, on false pretences, obtained an act of suspension, they came forward now and called upon the House to indemnify them for all they had done even beyond that act. The noble Viscount had carefully refrained from touching on any of the arguments of the noble mover, he had kept wholly on points foreign to the question. There might be some difficulty as to form, in sending the petitions to the committee; but substantial inquiry could not be otherwise carried on. He disapproved of the formation of the committee. He would always maintain that the persons to be tried ought not to be members of the committee that was to try them. He would also maintain, that no confidence could be placed on a report, however conscientiously framed, when the information was strictly and jealously *ex parte*. Last year ministers had

evaded inquiry, by saying, that the country was in danger, and that there was no time to examine statements made *ex parte*, and out of doors. Now, after a year had elapsed, and the country was so tranquil, what possible reason could be assigned for resisting inquiry? What sort of tribunal had they constituted to decide upon their conduct? Could any unbiassed man conceive that, in appealing to such a tribunal, they proposed a *bona fide* inquiry? The last year he regarded as a year of great misfortune. It was a year of delusion, practised in the most execrable manner; of power unnecessarily obtained and unwarrantably exercised; of distress and suffering, without justice and without redress. There was a prevalent suspicion, amounting with some to a positive belief, that the noble Lord at the head of the home department had not acted constitutionally; that he had exercised powers beyond the law; that in his circulars to magistrates, directing them how to perform their duty, in preventing their visitation of prisoners, in recommending the suspension of the great bulwark of our rights, and in employing spies and informers, he had conducted himself in a manner subversive of our best privileges, and hostile to the public interests. If ministers did not refuse to submit themselves to a fair and open trial, they ought to have candidly called for unlimited confidence on account of their personal character. He would have opposed this claim, but he would at least have thought it manly. He would not assert that all the mischief in the disturbed districts arose from the employment of spies, but he was prepared to prove, if allowed, that much of it could be referred to that origin. He would go farther and say, that the employment of spies (he did not allude to the receiving of intelligence from informers) was always un-

justifiable, except in cases of the greatest and most imminent hazard to the state. Nothing but a paramount necessity, that set all ordinary rules at defiance, and threatened dangers to social order, that could neither be met nor averted by acting on common principles, or exercising all the means which human foresight and vigilance could suggest, would justify a resort to such revolting, hazardous, and abominable agency. The fear of trial and exposure was the only check upon such persons, without which, there was no limit to their audacity, no means of meeting and confounding their representations. He was glad to hear, that the bill of indemnity would still leave recourse to a court of justice for the redress of individual grievances, and he hoped an express clause to that effect would be inserted; but he distrusted such pledges, when he recollected the effects of other bills of indemnity, particularly that of 1801. He did not conceive, that the reference of the petitions to the committee could be called a trial of those persons; it was not to decide on their guilt or innocence, but on the manner in which government had treated them. It had been said, that his predictions had not been fulfilled; he was not in the habit of uttering political predictions, yet he would now venture one, which was, that ministers, in consequence of this partial inquiry, would apply for and obtain a bill of indemnity, to secure them against the breaches of the law of which they had been guilty. He would heartily rejoice, however, if this prophecy should happen to be falsified.

Notwithstanding the eagerness with which they had debated the question, the opposition members did not attempt to divide the House, but allowed the motion to be negatived without a division.

Meantime the secret committees

were proceeding in their inquiries; that of the Lords delivered their report on the 23d, that of the Commons on the 27th. The former, as the most copious, and detailed, is inserted in the Appendix. They stated that a plan of a general rising which, according to the preceding report, had been first formed and then postponed to the 9th or 10th June, had been frustrated by the activity of the magistrates, and of the different persons intrusted with the authority of government; that it had yet partially displayed itself in the affair at Derby, the particulars of which age briefly noticed; that this had been intended to be supported by movements at Nottingham, and in the course of the night 100 men had appeared drawn up in line, armed with pikes and poles, in Nottingham forest, waiting the arrival of the Derby insurgents. At the same time, a great rising in Yorkshire was contemplated; and disorders somewhat similar, though on a smaller scale, took place at Huddersfield. Forty-four of the Derby insurgents were apprehended; twenty-three were either convicted or pleaded guilty; eleven absconded; the remaining twelve were not tried. True bills had also been found against a number of those concerned in the disturbance at Huddersfield; but though there could be no doubt of the treasonable proceedings of which that place was the theatre, yet there was not found sufficient evidence for the conviction of any individuals. The committee were satisfied that the extraordinary powers vested in his Majesty's government had been temperately and judiciously used; that no commitments had taken place, unless such as were warranted by circumstances and supported by information upon oath; and that the period of detestation had been guided by the same sound discretion. They were convinced that there still ex-

of a small number of desperate characters, ready to take advantage of any opportunity to involve the country in confusion; but the improved state of the lower orders, in the cheapness of provisions and the facility of employment, had deprived them of the chief instruments on which they rested their hopes, and there appeared no reason to doubt that the vigilance of the police, and the unremitting care of government, would be sufficient to prevent any farther commotion.

The report of the Lords' committee was speedily followed up by the Bill of Indemnity, already so repeatedly owned and announced. On the 25th of February, it was introduced by the Duke of Montrose, and entitled, "a bill for indemnifying persons who, since the 20th of January 1817, have acted in apprehending, imprisoning, or detaining in custody, persons suspected of high treason, or treasonable practices, and in the suppression of tumultuous and unlawful assemblies." This measure was opposed in all its stages, and the debates were protracted to a very great length. They could not, however, include any other subjects or arguments, than those which had been repeatedly discussed in the close of the last, and beginning of the present Session. To enter, therefore, now into any elaborate analysis of them, would be involving ourselves in useless and tedious repetition. It will be enough to report the speeches of one or two members, who had taken little or no part in former debates, which, though on different subjects, led essentially to the same topics.

Lord Erskine, in supporting the Marquis of Lansdowne's motion, for delay and farther inquiry, observed, that the necessity of the suspension, even if proved, could be no objection to this, which was merely to ascertain whether the powers conferred by it

had not been unnecessarily overstepped or converted into instruments of oppression. He had long entertained a sincere regard and respect for the noble Secretary of State, whose character for humanity and moderation he would be ready at all times to attest. Admitting, however, that he and the magistrates had acted with the utmost purity of intention, this ought not to protect those who had given them information which was malicious and infamously false. Even if Lord Sidmouth, in the exercise of such a difficult authority, had been betrayed into some illegal proceedings, an indemnity would be justly due to him; but upon what principle malicious, sanguinary, perjured informers, even after the most decisive proofs of their guilt, were to be saved, harmless and protected, he was utterly at a loss to comprehend. The powers granted under the suspension, did not justify a magistrate in acting upon secret information; or if this could be tolerated in disturbed times, when the laws were not in force to protect the innocent, to extend that secrecy to periods of profound tranquillity, was a principle utterly subversive of the British constitution. This false principle of secrecy would in itself be intolerable, even if there were no actual victims to it, but it was notorious that there were many, though the House had refused to look at their supplications; giving the utmost credit, therefore, to his noble friend's integrity and discernment, it was quite clear he had been imposed upon by the artifices of designing men, who wished to recommend themselves by their apparent zeal [Lord Sidmouth signified his dissent.] His noble friend had no doubt honestly disesteemed, but his own conviction was, that the admission of the evidence, which was the object of the amendment, would prove clearly he had been deceived; and no

man ought to presume to contradict him, who gave his vote to shut it out; and how and why the House had been deceived, the evidence would, have shown also. He protested against the mode in which the committee had been nominated. The ballot might indeed be justifiable in cases of difficult investigations, involving no questions of public liberty, but it was shamefully abused, when the ministers, who thus named the committee, were themselves to be indemnified, and the whole evidence to be of their own producing, although the report to be made was at once to deprive multitudes of oppressed and ruined sufferers, of all redress under the laws against the falsest and most infamous of mankind. No precedent could sanctify such injustice. He did not mean to say, that the committee was entirely composed of ministers, but if he were himself upon trial, he should think himself quite safe to have such a proportion of his jury selected by himself, or from among the number of his steadiest friends. What would the noble Lords have said to the same striking of a jury, had it been adopted under the special commission at Derby, where the prisoners were tried and executed? The proceedings of ministers defeated their own object. By putting down these disturbances according to the ordinary course of law, they would have given dignity, popularity, and strength, to the administration of justice, and would have taken away from the disaffected all their popularity. All the friends of order and good government would have been against them—all the enemies to the most temperate reformation would have been no less so; and even the wildest reformers, the claimants of universal suffrage, would have held them in detestation, because they knew, by dear-bought experience, that nothing had so notoriously and so effectually

put down even the possible chance of reforms, or changes of any possible description, as when they had been rashly clamoured for by libellers, or sought for amidst the tumults of ignorant and desperate men; but instead of taking the advantage of this obvious separation of interest and feeling between the great body of the people admitted to be untainted, and those accused or suspected, ministers had blended them altogether by a universal, useless, and mischievous eclipse of public liberty. He was far from wishing to question the decisions of juries. He only wished to remark the popular feeling, which considered the accused as martyrs and patriots, rather than culprits, in the hour of trial. The report itself declared, that the great body of the people had remained untainted, even during the periods of the greatest internal difficulty and distress. Good God! exclaimed Lord E., what more could any government expect or wish for in any nation upon earth? How very different was the state of public feeling during the early periods of the French Revolution! The fact was also proved by the universal loyalty of the nation on a late lamentable event. If his voice could reach to the remotest part of the island, he might appeal to its whole population, who, as if they had been all the children of the same parents, were shedding the tears of affection and sorrow on the unhappy loss of the presumptive heir of the British Crown. In the face of all this evidence, was it not the height of absurdity to consider, that the ordinary laws were not sufficient to protect the government against a delirious rabble of armed men, coming up with a petition in their hands to lay at the Prince Regent's feet? What will other nations think of our boasted laws, so famous for many ages, if we ourselves shall acknowledge that they are not even sufficient against a

mob? and that, according to the proposition of the noble Duke who made the original motion, a bill of this kind must follow whenever the Habeas Corpus Act shall be suspended? A measure of this kind, sanctioning all abuses in administering the severe provisions of the Suspension Act, and, by one sweeping provision, protecting every kind of wrong, appeared to him so far from being a remedy for disaffection, that it was laying the very foundations of future rebellion and revolution. He thought it his duty to say distinctly and boldly, that no people would long submit to be governed by a legislature, that trampled upon every principle of the constitution. Parliament ought to beware of going beyond the endurance of a free and enlightened people.

The Lord Chancellor observed, that it was allowed on all hands, that there were cases which called for the suspension of the Habeas Corpus Act, and others which called for an Act of Indemnity. The suspension appeared to him, in the present case, clearly to have been necessary, and the indemnity to follow it as a natural consequence. It was now a century and a half since the Habeas Corpus Act was passed, in the reign of Charles the Second. It formed the great bulwark of our liberties, and the pride of our constitution. But that very act would have caused the greatest danger to the constitution, if Parliament could not control Parliament—if what was then enacted could not, on certain emergencies, be suspended! His noble friend had read that part of the report, which represented the great body of the people to have been sound, and triumphantly asked, if that did not prove the suspension to have been unnecessary? But he would ask his noble and learned friend, whether the great body of the people were not sound in the reign of William the Third? Yet the sus-

pension of the Habeas Corpus passed three times during that reign, and they were respectively followed by three Acts of Indemnity. These acts did not go to prevent inquiry into individual cases, but to justify and cover violations of law, which the times rendered necessary. Acts of Indemnity were passed, not only in the reign of King William, but also in 1715 and 1746, and nearly in the same terms as the present bill. The next instance was, in 1794, when the exclamation was, "O, how can you suspend the palladium of our liberties, on account of the London Corresponding Society, and a few meetings at Sheffield?" Parliament did not, however, think so lightly of the matter. The legislature felt, that a great portion of the lower orders of the people had imbibed most dangerous opinions. They perceived, that the people supposed they could do better without Kings, Lords, or House of Commons; and they rightly concluded, that such an opinion was more dangerous to the existence of the state, than the temporary suspension of any law. That act expired in 1795, and till 1798, no new suspension took place. In 1801, an indemnity bill was brought in; but, during all the intermediate period, from the expiration of the act to the introduction of the bill, not a single person thought of bringing an action, or commencing a suit. The moment, however, the indemnity bill was proposed in 1801, then all those who were previously silent—who had made no complaint whatever—came forward with statements of their grievances. There was nothing which could induce them to adjourn the proceeding for a fortnight, unless it were of such a nature as would authorize its rejection altogether. To call on their Lordships to stop, at this moment, in order that, at the end of a fortnight, persons might come forward to fasten on indi-



viduals with contemplated complaints, was a proposition too unreasonable to be acceded to. The suspension had been agreed to upon the report of a committee, which had been spoken of in highly objectionable terms, but the composition and formation of which had been chiefly according to former precedent. He venerated the constitution of the country, and he did not like to risk the loss of the benefits it conferred; but he was well assured, that had not this measure been adopted, the loss of that constitution would have been risked, under which domestic happiness and public prosperity flourished to a degree unknown elsewhere. Those who were acquainted with the real nature of the danger which threatened the country, doubted much, if decisive steps had not been taken, whether they would have been now expressing their opinions in that House. He entertained the highest respect for many of those noble Lords who were opposed to him in opinion, and particularly for the noble Marquis who made the motion; but that man, he thought, must have a stout heart, who did not feel alarm at the disturbance produced by the Spafields rioters. To the suspension he thought the tranquillity of the country was more owing than to any thing else. That measure was not intended for any problematical effect; it was called for, and justified by the state of the country. It was mild, merciful, preventive of much disturbance and misery, instead of being the occasion of misery. The principle of the bill was, that no redress ought to be given for unjust imprisonment, under the suspension. If he, although innocent, had been taken up and confined on suspicion of treason, he should give way to the public safety; he should patiently bear the hardships of his fate for the good of his country. It was also necessary, that ministers should

not be obliged to disclose the evidence on which they had acted. A noble Earl had said, that the depositions might be given without the names; but all who belonged to a legal profession must know, that the tenor of the depositions would be sufficient to shew by whom they were given. He must then repeat the proposition, that the necessity of the suspension, and the safety of the country, precluded those who complained of suffering under that suspension. This proposition he felt himself bound to state, although he felt great grief that such a proposition must fall from his lips. The practice of suspending the Habeas Corpus, could not be given up without consequences that would strike at the root of our great and free country. Great and free it never would have been, if Parliament had not had the sense and the power to suspend its liberties.

The other speakers were, on the ministerial side, the Duke of Montrose and Lord Sidmouth. On the opposite, the Marquis of Lansdowne, Lord Holland, Earl Grosvenor, and the Earl of Carnarvon. The second reading was carried by a majority of 100 to 33. In the committee, the Earl of Lauderdale moved as an amendment, that the indemnity should begin to operate at the 4th of March last, when the bill was passed, instead of the 1st of January, as now proposed; but Lord Liverpool observed, that in the disturbed state of the country, and while the bill was passing through Parliament, it might have been necessary for Magistrates to anticipate its provisions. He acceded, however, to exchange the period to the 26th of January, or when Parliament met. Lord Holland mentioned an amendment relative to the mode of discharging prisoners, but did not pursue it. The Marquis of Lansdowne moved for the omission of those words in the bill, which went to extend indemnity to magi-

strates for arresting persons in tumultuous assemblies, on the ground that there could be here no need of secrecy; but Lord Liverpool contended, that such a case, where great numbers must often be taken up without any minute investigation, was one in which the magistrates peculiarly required protection against vexatious suits. The amendment was negatived. Lord Erskine then moved, that the indemnity should not extend to any thing done maliciously, or without reasonable or probable cause; but the Chancellor observed, that such a provision would nullify the whole bill, and it was accordingly rejected. Lord Lansdowne moved, that Ireland should be left out, as the provisions of the Suspension Act did not extend to that country. Lord Sidmouth stated, that the same of Ireland was introduced to meet a special case of a person who was apprehended there for acts done in Great Britain; but Lord Holland urged, that Ireland should be left out, and that the clause should be introduced, embracing merely the special case. This was agreed to by Lord Liverpool. The Earl of Carnarvon then protested against the payment of double costs by the plaintiffs, in actions already begun, and Lord King condemned the introduction of double costs into the bill altogether; but the Chancellor stated, that the next provision of the clause enacted, that those who stopped proceedings should not be liable to any costs, and that double costs applied only to those who persevered, after Parliament had taken from them the ground of action. This explanation was allowed to be satisfactory. The Earl of Carnarvon proposed a clause, by which the proceedings of persons, aggrieved under the Act, were only to be stayed upon an affidavit from the Secretary of State, that the action could not be defended without producing evidence that would be injurious

to individuals and to the public; but Lord Liverpool observed, that this would subject all magistrates, and persons acting under them, to the discretion of the Secretary of State. Lord Carnarvon, however, intimated his intention of proposing the clause anew. Lord Lauderdale said, he had still an amendment to propose, though he did not expect that it would be adopted. It consisted merely of an alteration in the preamble, in which, by first barely reciting the facts of the Derbyshire rising, and then the measures which had been founded upon them, he endeavoured to expose the latter to ridicule. The amendment, which was intended merely as a *jeu d'esprit*, was accordingly negatived. The report being then given in, the third reading took place on the 5th of March. A fresh debate, of considerable length, took place, in which the measure was attacked by Lord Auckland, Earl Grosvenor, the Marquis of Lansdowne, and the Earl of Carnarvon; and defended by Earl Bathurst, the Lord Chancellor, and the Earl of Westmoreland. It was then carried by a majority of 93 to 27. A protest, however, was entered on the journals by Lords Erskine, Carnarvon, Grosvenor, Lauderdale, Montford, King, Auckland, Holland, Lansdowne, and Rosslyn.

The bill having thus passed the Lords, was introduced on the 9th March into the House of Commons. Here debates ensued of equal length; but, upon the same principle of abridgment as in our report of the other House, we shall confine ourselves to those of Mr Lamb, Mr Brougham, and Mr Canning.

Mr Lamb observed, that in rising for the first time to give an opinion of the measures adopted in the present Session, with a view to the transactions of last year, he could not but feel great pain in differing from so

many of those whose persons he esteemed, and whose opinions he respected. It had been supposed, that the grounds of the opinions which he, with others, entertained in the former Session, had been materially affected by events which had since occurred, particularly by the issue of the trials at Westminster, and Derby, and even by that of Hone. "Sir, I beg leave to say for myself, and in saying this, I conceive I am asserting a great and important principle, that I voted for those measures upon general views, upon a persuasion of the disposition which then prevailed in a certain portion of the community, upon the language which was then held, upon the opinions then professed, upon the designs and intentions then manifested; I voted for those measures upon legislative reasons, upon such reasons as are fit in their nature to sway the judgment and direct the conduct of a member of this House; and allow me to say, that a judgment so formed is not necessarily invalidated or corroborated, is not necessarily affected, by any thing that passes in courts of justice, by the result of any judicial examinations or investigations, by any inquiries before tribunals, formed for entirely different purposes, acting by entirely different means, and proceeding towards another purpose and end, by another course." No man respected more than he the verdict of a jury when confined to its proper object of determining the guilt or innocence of a prisoner, but not as extended to the maintenance of general political propositions. Perhaps the danger might have been exaggerated; he was unwilling to renew former discussions; "but since the disturbances in Derbyshire have been mentioned, I will ask, whether it is possible to assert, whether human credulity can go the length of believing, that that tumult was an accidental, solitary, insulated proceeding; that it was un-

connected with any more extensive arrangement, or more general understanding? I ask, whether that is, upon the face of the affair, a reasonable conclusion? and I believe I may safely appeal to those who have had the best means of information upon the subject, whether they do not know the contrary to be the fact."—In arguing against the measure, every thing was taken for granted; the secrets of time were raised, and imaginary evils conjured up; while, in defending themselves, ministers were strictly tied down to the record of facts. There was a great difference between civil and military services, the latter of which were publicly performed, and universally acknowledged. Not so the services of the minister; they lie not so much in acting in great crises, as in preventing those crises from arising; therefore they are often obscure and unknown, and not only obscure and unknown, but subject to every species of misrepresentation, and often effected amidst obloquy, attack, and condemnation, when, in fact, entitled to the approbation and gratitude of the country:—they are lost in the tranquillity which they are the means of preserving, and amidst the prosperity which they themselves create. If some extraordinary measure was necessary, he considered it much better to have recourse to the precedent of one of the suspension, of which the effects had been tried and experienced, and from which they could return to the constitution unimpaired, unless by the inevitable effects of the precedent. The committee had been afraid to express the ground of hope which they entertained, lest it should have failed them. Now, that it had been fulfilled, and that the prospects of the country began to brighten, he considered it imprudent to give way to too confident security and premature exultation. "It is impossible to survey the continent of Europe, with its jar-

ring and conflicting interests, with its vast military establishments, which have been engendered and produced by the great war in which the world has been engaged, and by the ambition of the enemy,—it is impossible to contemplate the internal situation of this country, with her vast load of debt, her great financial embarrassments, and the state of society, in some respects unnatural and distorted, which has grown up within her,—it is impossible to reflect upon her vast colonial territories and dependencies, scattered as they are in every quarter of the globe, and containing within them every species of the human race, every form of human government and every condition of human nature,—it is impossible to consider them, with their neighbourhoods and vicinages, new nations growing up into a magnitude beyond conception with a velocity exceeding thought,—I say, sir, it is impossible to look upon this spectacle without feelings of awe, of alarm, and apprehension." With regard to the employment of spies, he could not blame the reprobation with which it had been mentioned; at the same time, both sides of the question must be fairly considered. On the one hand, we must fairly allow the encouragement which this man's presence and assumed character was calculated to give to designs and schemes which might otherwise not have been entertained or undertaken; on the other hand, we must not suffer ourselves to be made the dupes of those whose evident interest it is to heap all their own doings upon the head of Oliver, to put in his mouth all violent language and criminal propositions by whomsoever held or made; and by so charging him, entirely to liberate and absolve themselves. His conduct had been most wicked and nefarious; he had used the most violent language, and, ridiculing parliamentary reform, had uniformly

advised them to have recourse to physical force. This, however, was a character which he assumed, not at the suggestion of government, but of the London conspirators, who uniformly proceeded upon this system; and the manner in which he had been welcomed and trusted, and in which his secret had been kept down to the moment when he was discovered to have been in the employ of government, clearly shewed how much a-kin these sentiments were to the minds upon which he acted. Mr Lamb did not perceive a very broad distinction between spies and informers. The latter might indeed be influenced by good motives; but in general, interest and impunity were their objects. "When the public indignation was excited against an offender, the same nicety was not felt as to the mode in which he was convicted; but when the public sympathy and commiseration is, as it is very apt to be in state prosecutions, excited in favour of the accused—and the public feeling, allow me to say, may very possibly run in a current directly opposed to the public interest—then we examine every step with utmost rigour, and lay down strict rules, from which in other cases we depart in silence and without observation." Viewing the subject in this light, he felt himself bound to support the bill. Approving of the measures of last year, he conceived, that, under them, acts might have been done, meritorious in themselves, but illegal; and others, which, though legal, could not easily be proved to be so. He had not voted last year blindfold or in the dark; he was always aware that injustice and oppression might arise from the exercise of secret powers; but, overruled by the necessity of the case, he voted for the suspension as a great conservative measure of state. Believing that the powers granted had not been exercised tyrannically or oppressively,

he hesitated not in extending to ministers the protection of a fair indemnity.

Mr. Brougham, though he was not altogether unprepared for the course which was to be taken by his honourable friend, could not help regretting that a person of so much weight in that House and in the country, from his accomplishments, his talents, and his character, should have lent himself to the support of such a measure. At the same time, rich as his honourable friend's speech had been in general observations, powerful as it had been in eloquence, beautiful in its illustrations, various in its topics, and animated in delivery, those observations and that eloquence were no more than so many vague generalities, applicable, if not to any subject, at least to any period, any government, or any danger to such government, and entirely unconnected with the measure of indemnity now before the House. The only part which appeared to him to have any relation to the subject, consisted in a few sentences at the end, in which he observed that persons in the late crisis of the country, might have been called upon to do acts not strictly legal, or which, though legal, they could not safely prove to have been so. Mr. Brougham said, if this had gone merely to protect magistrates who had acted under the necessity of the moment, he could readily concur; but it went equally to protect a person whom he should describe without periphrasis, without any of those respectful circumlocutions with which he had been generally ushered into the notice of the House by the gentlemen opposite, the person who had been called by the various names of "that loyal and upright subject," "that much injured individual," "that meritorious agent of the police."—he meant that Oliver: it confounded such a magistrate as he had described with

this man, or with any other such miscreant, if any other such there could be—that is, it placed those persons in the same attitude as the magistrates, by holding out the same indemnity to them. As to the difficulty of defending actions, he did not believe there was the least difficulty of producing witnesses in the face of the country, in open court, in public and honourable trial. This had been done at all former periods, particularly in 1812, when the report of the committee was as strong as at present, and equally represented the danger incurred by giving evidence. But how did the government act on that occasion? In a manner for which he gave them credit. They brought to trial all those against whom they could procure any information. Numbers were tried, and numbers of witnesses were examined; and he would ask, what person was ever injured on this account? what person was ever exposed to the slightest risk? But without recurring to 1812, he had another instance in view, in which the same course was adopted; in which more than a hundred witnesses, after discharging their consciences by swearing to facts of conspiracy and treason—after leaving the prisoners to execution—went peaceably home the next day without threat or molestation. He need only remind the House of the trials at Derby: not one of the hundred witnesses called on that occasion had experienced the slightest inconvenience. Now, when on the authority of the report itself, on the evidence of their own senses, on the admission of his honourable friend, it was plain that perfect tranquillity prevailed over all the country, that the suspension was no longer necessary, and the ordinary course of law was restored in every thing else, it rested with the supporters of this bill to show (and he wished his honourable friend would

show) why persons against whom actions were brought, were unable to avail themselves of a just defence; what there was in our law inefficient; what rendered it so powerless now, that for the first time it was impossible for an honest man to produce his witnesses for fear of the dangers they might incur. He could not help making some observations on the stigma which had been thrown upon all petitions. The declarations of two dying persons had been quoted against the character of Ward, and some credit was doubtless due to persons under such circumstances; but if they were to be credited, with a halter round their necks, and making a declaration which they knew to be agreeable to the magistrate who received it, and which in fact offered their only hope of escape from execution; how much less should the noble Lord refuse the dying declarations of individuals, who made those declarations to persons, and in a manner that precluded every hope of escape from the fate that awaited them? If the persons to whom he had last alluded were to be believed, they traced to Oliver the plot for which they suffered death; but these were not the only things that could be stated, nor did their connection with Oliver rest on the dying declaration of one of the condemned: The reasoning by which the House had been brought to resist all inquiry, seemed to him very far from being strong or convincing. He had yet to learn by what legitimate process of argument it was decided, that because one petitioner had presented exaggerated statements, that because another had addressed to the House what was false, that because another had magnified his sufferings beyond the strict line of truth, that because a fourth was a man of abandoned character, therefore the House was to lend no ear to any petitions,

however different in their nature, and however differently they came recommended by the character of those who framed them. The House had now got to this—that it reckoned complaint sufficient to excite suspicion against the person who preferred it, and thought it enough to throw discredit on a man's word or oath, if he was found coming forward to state his grievances. What was the use of admitting the bare abstract right of petitioning? what did it signify whether the doors of the House were thrown wide open to applications or not, if the petitions of the people produced no effect; if they were merely received and neglected; and if the petitioners, when they complained of grievances, were to be told, "your statements are false; they cannot be listened to; they do not even deserve inquiry into their allegations?" Mr Lamb had asserted that the spirit of sedition and disaffection in the country was not quite subdued; that there was a part of the country in which it continued to flourish under all circumstances of good or bad harvest, of employment or want of employment, of high or low wages. He referred to the manufacturing districts, containing upwards of three millions of men. Mr B. must be allowed to call this a foul charge against all the manufacturers of England, thus held up as a body on whom the government could place no reliance. All his honourable friend's confidence was reserved for ministers; and so boundless was its reliance on that quarter, that it could only be compared to his own description of the reasonable propensities of the manufacturers, never to be controlled by circumstances. If there was any truth in this charge, against the whole manufacturing population, it proved that we could not enjoy the benefits of a free constitution, and that ministers ought to demand a renewal

of the suspension instead of an indemnity. Mr Brougham defended Mr Pousonby from the allegation which had been made of his agreeing to the Suspension Act. He had differed in opinion from his friends as to the report, but on all other subjects they were agreed. His lame friend was on all occasions the firm defender of the constitution, equally against any threatened turbulence of the people as against the encroachments of power. He was a man of too sound a mind, and too firm principles, to be led away by vague generalities, unsupported by facts, or to surrender the liberties of the people, when ministers found it for their interest to sound a false alarm, and pack committees to find matter of accusation against the country. He kept to the sheet-anchor of the constitution, and the more the storm raged, he held by it the faster, as the only means of weathering it out. He was a true constitutional lawyer of the old school. Mr B. would not so much have objected to the indemnity, if the measures leading to it had been in consequence of any real alarm felt by ministers. In fact, however, their conduct arose merely from a sense of their unpopularity, and a desire to maintain their places. Thinking a plot necessary, they made one, resolved to maintain their places, though they destroyed the liberties of their country. If the House were thus to agree to every unconstitutional measure suggested by the ministers, the substance of the constitution was gone, and the rights of the people of England were held at the good will and pleasure of the ministers of the crown.

Mr Lamb explained, that he had been far from saying that the whole manufacturing population was disloyal, but merely that there were some agitators among them.

Mr Canning had formerly conceived

it unnecessary for ministers to take part in a discussion in which the balance turned so decidedly in their favour, but as the question in some degree personally involved them, it might be proper to shew that they did not shrink from the discussion. He agreed with Mr Lamb, that the necessity for the Indemnity Bill arose not so much from the Suspension Bill, as from the same circumstances in the disturbed state of the country, which called for that bill. The object of it was to give indemnity for acts beyond the law, but necessary for the public safety, and, in the case of legal acts, to dispense with the necessity of injurious disclosures in proving their legality. There was no alternative between indemnity and impeachment; if ministers had properly used their powers, the former was due to them; if they had abused those powers, the latter. It was difficult to find precedents, precisely and accurately agreeing in all particulars; but one point was clear, that the very essence of a suspension of the Habeas Corpus, implied not proof of guilt by trial, but detention without trial. The very first act of this kind, after the Revolution, authorized the king to arrest and detain persons suspected of conspiring against his person and government, expressly recognizing the propriety of not bringing to trial the persons who might be so arrested and detained. It was complained, however, that redress had been refused to those who had suffered under the act. No doubt, every man who had been arrested under the Suspension Act would come to the bar and swear—no, not swear, but say—that he had been most cruelly and unjustly treated; that he was the most innocent and most injured of mankind, and that his merits only had pointed him out as an object for persecution; that he had been exposed to the most cruel tortures, and



that all his calamities were to be attributed to Oliver, the spy. In the head and front of this phalanx of petitioners (and it was to be supposed, that honourable members on the other side had not been so far wanting in parliamentary tactics as not to select the best case to make the first impression) stood that renowned gentleman and instigator of murder, Mr Francis Ward—[Hear, hear!] True it was, that he had now been abandoned, deserted in his utmost need, because the supporters of his petition found it convenient for their argument;—not, however, before his crimes had been detected and his character blasted; then, and not till then, he was expelled from their company; and, instead of calling, as they had done, for the sympathy of the House, for its compassion, for its tears over the sufferings of this admirable and amiable being, the other side dropped his name entirely, or merely insisted that the merits or demerits of this Luddite, this hirer of assassins, this instigator of murder and rebellion, had nothing to do with the other petitioners. After the failure of Ward, they brought forward the revered and unhappy Ogden, and claimed compassion for his virtuous age and silver hairs; but, on inquiry, it proved that this person had been cured at the public expence of a rupture under which he had long suffered. This might be a very fit case to be brought before the Rupture Society, but to require upon it the decision of Parliament, was such a daring attempt upon its credulity, as would probably be never again attempted. These petitions, when they failed, were supported by a cart-load, till the tricks and impostures tried upon the House became obvious to all mankind except those who were selected to bring them forward. The next point on which the opponents of government had rested, was the em-

ployment of spies; and here they had happily selected the case of one Dewhurst, who, it was alleged, had been seen in a gig belonging to Sir J. Byng. Now, shortly after this statement, there came from Sir J. Byng, not a *verbosa et grandis epistola*, but a very pithy note, stating, first, that there was no such man as Dewhurst; secondly, that he had no gig—[Hear, hear!] The law maxim, referred to by the learned opener of the debate, was here quite in point, "*de non apparentibus et non existentibus eadem est ratio*;" unless it could be shewn, that the rule was different where, as in this instance, there were two nonentities, the man and the gig: as two negatives make a positive, so two nonentities might, in the understanding of some honourable gentleman, make an entity. A gentleman of Naples once asked an English traveller, whether it was not practicable to travel from Sicily to England by land. "Certainly not," said the Englishman; "you know that you cannot go to England, even from Naples, without crossing the sea."—"That is very true," replied the Italian, "but Sicily is an island too!"—[Continued laughter.] After this failure of positive statements, recourse had been had to anonymous testimony. One respectable gentleman had long ago heard Oliver announce his plan of exciting a general insurrection; and another equally respectable had declared to an honourable member, that he had seen Oliver exciting the populace to tumult on the day of the attempt on the Prince Regent. If this were true, why had these respectable gentlemen remained so long silent? Why had they protected Oliver while he was a traitor, and given evidence against him only when he became an informer? It was impossible, however, not to feel assured that these stories were recent



inventions, and no man but a dolt or an idiot could believe a word of them. It had been asserted, that Oliver was sent down as the London delegate; but in fact Mitchell was the delegate, and merely took Oliver with him. All the most violent speeches reported to have been made by Oliver, could be traced to Mitchell. Mr Smith, the member for Harwich, had demanded that all the private transactions of Oliver's life should be ripped up; that a select committee should inquire, whether he had regularly paid his tailor's bill, and of how many chips and shavings he had cheated his master, the carpenter. But, though he did not consider the private character of Oliver as altogether irrelevant, it was well known, that information relative to plots against the state must, in nine cases out of ten, come through polluted channels; human means must be employed to maintain human institutions. A distinction had been attempted to be drawn between an informer and a spy; but it was a distinction that would not bear examination. For what was the state of the case? Simply this, that if a man brought information to government, it might be credited the first time; then, it seemed, he was only an informer; but if the informer, at the recommendation of government, should proceed to gain fresh information, the second fact would be good for nothing, because he would then be a spy; twice an informer was once a spy. He appealed to Mr Wilberforce, whether the theoretical notions which he had entertained upon this subject were reducible to practice. Among the many virtues which distinguished and adorned his character, his honourable friend had one quality which might be considered a defect; he was apt to think every man as good and as honest as himself; still, he was sure that his honourable

friend had lived long enough to have found, by experience, that the world cannot be governed on any theoretical notions of parity. He must have felt, too, that as it was the sweetest reward of virtue to have a perfect confidence in all around it, so it was the greatest curse of crime, that it could not trust even its dearest associates to take away, therefore, from crime its penal terror of being betrayed by its intimates, and to communicate to it the best privilege of virtue, what was it but making virtue the prey of crime? Much had been said as to the blow struck at the liberties of the people by the suspension of the Habeas Corpus Act. He was as much disposed as any man to think that crisis of affairs most lamentable, which required such an extension of power. Nay, he would go farther; he not only lamented the suspension as a misfortune, but he charged it as a crime; but upon whom did he so charge it? Not on the government, who had fairly come forward, and laid before Parliament the real state of the country; not on Parliament, who deliberately acted upon the report of a committee of the first respectability; not upon the people of England, as had been most unjustly insinuated, to whose steady loyalty the utmost homage was paid; but upon those designing and malignant wretches, who attempted, out of the distresses of a day, to effect the desolation of the work of ages; who looked upon the famished peasant and ruined artisan, not as objects of compassion, but as instruments of crime. Mr C. ridiculed the visionary schemes of reform supported by Sir Francis Burdett, and expressed his astonishment that Mr Brougham, who laughed at them in his heart, should yet, for the sake of popularity, every now and then present a petition for reform. The best friends of the people, while they

told them of their rights, told them of their duties also. He asked whether every man who heard him did not know, that either in his own immediate neighbourhood, or in districts of which he had knowledge, a sedulous and wicked activity had been employed in disseminating the doctrines of discontent, and exasperating suffering into malignity? He asked, whether hatred to government as government; not merely to particular individuals, (a tax which those who fill ostensible situations in the state must make up their minds to bear as they may,) but to government by whomsoever administered; to eminence as eminence; to rank as rank, had not been industriously inculcated? Whether the Crown and its ministers had not been proscribed as the natural enemies of the people? and this House held up to peculiar hatred and horror, as the tyrants of the Commons, whom they were especially bound to protect? He believed now that even the multitude were undeceived as to parliamentary reform, and that any hope of discomfiture to ministers upon this ground would be felt to be vain. It was not against parliamentary reform, but against the mischief attempted to be perpetrated under its name, that an appeal had been made to Parliament. Instead of there being now a leaning against the people, the dangers which threatened society were quite of a different kind, against which it equally behoved Parliament to guard. If, in the hour of peril, the statute of Liberty had been veiled for a moment, let it be confessed, in justice, that the hands whose painful duty it was to spread that veil, had not been the least prompt to remove it. If the palladium of the constitution had, for a moment, trembled in its shrine, let it be acknowledged that, through the vigilance and constancy of those whose duty it was to see that the fa-

bric took no harm, the shrine itself had been preserved from profanation, and the temple stood firm and unimpaired.

The first reading of the Indemnity Bill was carried by a majority of 190 to 64; the second by 89 to 24; and the carrying it into a committee by 238 to 65. The bill passed through the committee without any amendment being moved. Notices indeed were given of several, by Sir J. Newport and Sir W. Burroughs, but they were reserved to the third reading. At the third reading, which took place on the 18th of March, the Speaker stated, that the bill must be read before the amendments were proposed. After, therefore, Sir R. Heron had taken the opportunity to utter a final malediction against the whole measure, the third reading was carried by 82 to 23. Sir J. Newport then moved a clause, by which the indemnity was not to extend to the exercise of any unnecessary cruelty or severity. The Attorney-General opposed it as superfluous, stating, that no act of this kind would prevent any individual from obtaining redress for acts of unjust or unnecessary rigour; and Lord Castlereagh thought such a clause would be even dangerous to the liberty of the subject, by giving a greater latitude in other respects to the construction of the bill. It embraced only four points, the seizure of arms, of papers, the detention of suspected persons, and the arrest of those who attended tumultuous meetings. Sir Samuel Romilly, however, urged, "Here were plain words which every man could comprehend. This act said, that all actions brought for, or on account of any act, matter, or thing, should be discharged and made void; and that every person by whom any such act, matter, or thing, should have been done, should be freed, acquitted, discharged, and indemnified. Now, they were told, that this act did

not mean what it said. It was stated, that, it went only to all necessary acts. But if this was the intention of the gentlemen who framed it, why did they not say so?" Mr Brougham then observed, "when there was such a complete difference of opinion between hon. and learned gentlemen, why leave the words in so vague and undefined a form? How long had acts of Parliament been so construed in their construction? When had brevity become the style of the statutes? Was it on the introduction of the present bill, that the love of precision had seized the framers of it?" Sir J. Newport, however, finally withdrew his amendment. Sir W. Burroughs then brought forward a clause to prevent the bill from applying to acts done maliciously and without probable cause. This clause he stated to be more comprehensive than the last, since it would reach not only jailors, but magistrates and police-officers. The Attorney-General observed, that this must defeat the whole object of the bill, since, in order to disprove the charge of malice, magistrates must bring forward the whole information on which they had acted, and every thing which it was the object of the bill to conceal.—Negatived. Several other amendments were then moved and negatived. Mr Brougham moved the introduction of the word "necessary," to qualify the acts over which indemnity was to be thrown. This amendment, in fact a revival of Sir J. Newport, was met by the same arguments, and being brought to the vote, was negatived by 149 to 89. The bill then, after a vehement reprobation by Mr Brougham, Mr Tierney, and Mr Peter Moore, was passed.

In the course of these proceedings, two motions were also made and warmly supported, relative to the employment of spies and informers; the point on which the opposition members considered themselves as having the

strongest, and most popular ground. The first, made on the 11th of February, by Mr Hazakelly, was founded on the admission of the committee of secrecy, that some of the informers had used language or conduct tending to encourage those designs which they were intended to be the instruments of detecting. He proposed, therefore, that it should be referred to the committee now sitting, to inquire whether due punishment had been inflicted upon these persons. This was followed up by Mr Bennet, with a long statement of measures, said to be taken by Oliver, with a view of exciting insurrection. Oliver, he said, had been first introduced to a small society, in London, by a person of the name of Pendrill, and afterwards set out for Liverpool with one Mitchell, to see Pendrill before his departure from that place to America. After taking leave of Pendrill, Oliver set out on a sort of tour through the country. He went to Leeds, Manchester, Sheffield, and other places in that part of the country, and they had evidence that at all those places he had called on the most respectable persons, whom he had stimulated to attend the meetings. He represented himself as a man who had been long actively employed in important transactions, as concerned in the business of 1792, as connected with Despard, as having facilitated the escape of Thistlewood and young Watson, and as having collected money for them. He stimulated them to enter into engagements to send delegates. To Wakefield he went first by himself—his companion had been arrested at Huddersfield. The hon. gentleman said, he had in his possession a narrative, drawn up by two persons, of what had taken place there; and he had opportunities of authenticating the most minute circumstances of this narrative. On the arrival of the delegate from Birmingham, he called on Oliver

at his inn, and found him in the parlour alone. He expressed great grief at the arrest of Mitchell, and after deplo-  
 ring for some time the loss the cause would sustain through it, he looked at his watch, and observed that it was time to attend the meeting. As they were walking towards the place appointed, Oliver said it was his firm conviction that "their new plan of petitioning would have no effect on their oppressors, and that nothing short of physical force would do any good." The person to whom he said this, observed, "I come here for no such purpose." Oliver afterwards asked this person, "should there be any necessity, do you think all who attended a meeting at Birmingham would be ready to fight for their liberties?" The Birmingham delegate was astonished at the question, and observed, it was a subject on which he had never entertained a thought, nor did he know of any person in Birmingham who had any such ideas. Oliver then used every means to inflame the minds of the persons present, and to urge them to insurrection. At Derby, he pursued the same system at a meeting. After some observations on Sir Francis Burdett's motion for reform, he said, that it was evident that petitioning parliament was of no use. He was then asked, if he considered reform to be altogether impracticable. To this Oliver said, "No, not in London, as there were other means to be tried; and that in London they were more active than ever to obtain their rights." Oliver was then asked, what way they meant to proceed, and he said, "they meant to try those means they had left, which was physical force; and that they were only waiting the determination of their friends in the country." He was told that the country would not do any thing. "In that," said Oliver, "you are mistaken; half the country is in an orga-

nized state, particularly Birmingham, Sheffield, Leeds, and most of the manufacturing districts."

The Solicitor-General and Mr Bathurst observed, that the report of the committee did not affix guilt to the persons alluded to, but merely apprehended the effect which might have been necessarily produced by their feigned concurrence with the designs of the disaffected. All that the report brought home to Oliver was an unintentional effect, not a deliberate and criminal design. The facts stated by Mr Bennet stood almost entirely on the authority of Mitchell, a person who had been arrested on suspicion of high treason, and who, by his own statement, had gone down with Oliver, with the design of agitating the country. Many of these statements were certainly erroneous. Mr Bathurst declared that no one had been arrested upon Oliver's information, which was only used as a clue to more correct intelligence. Oliver had never given any information against Brandreth, for this good reason, that he had no connexion with, nor ever even saw him. Brandreth's dying declaration on this subject was utterly unfounded, and had been put into his mouth by some designing individual.

Mr Wilberforce decidedly condemned the employment of spies. Certainly the employment of such engines was not allowable in a religious view. The God of truth abhorred falsehood, and all the ways of deceit. It was equally repugnant to any notions of honour or morality, or to the feelings of a gentleman; and on the mere ground of political expediency, the objections to it were almost as strong. Though the employment of spies might, in some particular instances, be attended with short and temporary advantages, and government might be able to detect some treasons which would otherwise escape punishment, yet he thought those ad-

advantages were much more than counterbalanced by the inconveniences that ensued. When he considered all the mistrust that such a system must occasion, even to the disturbance of domestic peace and confidence; when he considered the temptations to false information of every description; the misconstructions that might be put on the most innocent actions; and the suspicions and disaffection that must be excited against the government itself, he thought the general confusion that such a system would excite, must, in the long run, impede much more than further the cause of good order. He was against the motion, because it involved an inquiry that could not well be carried on in the committee, and for which the committee was not the proper place; and he must say, that he, for one, would not take a seat in the committee to which such an inquiry should be referred. The vote being put, the motion was negatived by 111 to 52.

The other motion was founded upon a petition from Manchester, presented by Mr Philips, on the 9th of July. It stated, that the allegations against this city of treasonable designs and proceedings, was altogether unfounded and calumnious; that the meetings, particularly that of the blanketeers, was held with the most loyal and peaceable intentions, when they were violently broke in upon by the soldiery, and numbers carried into crowded prisons, whence, however, they were dismissed, without any thing being proved against them. All the symptoms and appearances of disorder were stated to have proceeded entirely from spies and emissaries in the pay of government. Mr Philips, who presented the petition, followed it up with the following statements respecting the proceedings of spies at and around Manchester. The first person whose proceedings he would state to

the House, was Lomax. A person of the name of Acres, and his brother-in-law, on their return from Stockport, where they had gone to see some of the blanketeers on their road, went into a public-house (the Ark), and there found this man, Lomax, haranguing some people in a very violent manner, and proposing to send delegates to different towns in the neighbourhood, in order to call secret meetings. Acres repeatedly checked his violence. On going away with his brother, Lomax proposed to accompany them, and on arriving near his own house, he invited them in, saying he wished to have some conversation with them. After talking with them for a few minutes, he took a pen, and wrote these words, to which the honourable member wished to call the attention of the House, as they might probably be found in one of the green bags. "England expects every man to do his duty. Arise, Britons, and free your brethren from prison. God save the King." Upon shewing what he had written to Acres, he recommended him to throw it into the fire. This he refused, and said he would take it to Ogden to print. He went with it to Ogden's house, and desired his son (Ogden himself having been sent to prison) to print it; but he refused to have any thing to do with it. This wretch (Lomax) requested Irwin and George Barton (Acres' brother-in-law) to attend a meeting that night at eleven o'clock, which was to be held under the Aqueduct, to arrange a plan for setting the factories on fire. They expressed their horror of the scheme, and threatened to inform against him, if he ever mentioned such a thing again. Lomax replied, "We are sure to be taken up, I am at least, and we may as well have our revenge beforehand." The two Bartons mentioned this the same day to Acres, who was confirmed by it in his suspicion that Lomax

was a spy. At another time he said, "Manchester will soon be set on fire, and the factories will blaze within two hours as a signal." The people supposed that he was mad. This wretch was not contented with attempting himself to lead people into the commission of crimes, but he sent emissaries round the country to do the same thing. Though rejected wherever he went, he still persisted in his proposals of mischief. The honourable member remarked, that it seemed to be the plan of these spies to reconcile people's minds to mischief by repeating the proposal of it. One object they did accomplish, namely, that of making some people believe that there was a scheme in agitation to burn Manchester, because so many persons had heard of it. This circumstance had been stated to the honourable member himself, as a proof of the existence of the reported conspiracy. The honourable member, after dismissing Lomax, stated, that another of the spies, who called himself Dewhurst, having been seen in Sir John Byng's gig, was challenged with the fact, which he admitted, stating, that he had come with Sir John Byng as his servant, from London, where he had been desired by the reformers to act as their delegate. This man took every opportunity of becoming acquainted with those whom he heard were advocates for Parliamentary reform. Robert Waddington, an associate of Dewhurst, proceeded in the same manner. At a meeting where one Redeings was present, he urged the plan of burning factories, of which Redeings expressed a just abhorrence. Waddington then said, "It is now time I should tell you my information. I have a letter from London this morning, and all the people in that neighbourhood are up. There are 80,000 at Chalk Farm, 100,000 at another place which he mentioned, and 60,000

or 70,000 at a third." Redeings said, he did not believe a word of it; on which Waddington declared, "these were many letters in town to the same effect." The honourable member concluded by moving, that the petition should be brought up; and announced his intention, on some early day, of moving that it be referred to a committee.

On the 5th March Mr Phillips brought forward his motion, which, however, assumed a more vague and general character. Referring merely to the reports of the committees of secrecy, and to the petitions in general, he proposed an inquiry into the allegations therein contained, respecting the conduct of spies and informers. He acknowledged, indeed, the information received from Sir John Byng, that no spy or informer had ever been in any carriage of his in Lancashire, that he had never had any such character in his service or employ, nor ever had any communication, either directly or indirectly, with persons of that description, up to the 28th of March, the day on which the individuals in Manchester, accused of traitorous designs, were arrested. He paid the most ample tribute to the honour, as well as moderation and humanity, of Sir John Byng. At the same time, he conceived the facts generally known, and the belief entertained by the public, to be sufficient to authorize the inquiry now proposed.

Mr Robinson animadverted on the proceedings of the honourable mover, as one of the most extraordinary he had ever witnessed. The petition from Manchester had been brought forward with the greatest parade, and accompanied with a number of minute statements, of which he declared himself ready to produce incontrovertible proof. He had now come forward with a motion entirely different from

that which he had announced, and by which, indeed, he completely abandoned the ground he had taken. There was indeed a good reason for this, in the total want of all means of proving his former assertions. Only let the House recollect the elaborate speech of the honourable gentleman when he presented the petition, and his long story about a man of the name of Dewhurst, who had been carried to General Byng in that officer's gig; and about another man of the name of Lomax, who, he said, was a hired spy. What had the honourable gentleman now to say to these stories? So far as General Byng was concerned, he had now told the truth; all the rest was a fabrication. The whole of that story was false. Nay, more, no man of the name of Dewhurst was known to General Byng, or to government; as to Lomax, the honourable gentleman knew from General Byng, that that man was no spy; or if the honourable gentleman did not know it before, he knew it now. [Hear, hear! from the Opposition.] Whatever schemes Lomax was concerned in—whatever atrocities he contemplated—he did all as a

conspirator, and not a spy. It was true, that on the 17th of March this man wrote a letter to Lord Sidmouth, offering to communicate information. This letter was not answered. On the 28th of March, Lomax was arrested with several others, and, after being examined, was released; and there ended the whole communication between Lomax and the magistrates, or the government. Others of the petitions had been proved to contain the grossest falsehoods, and to come from men convicted of perjury. As these petitions were to be the groundwork of the proposed proceeding, he conceived the House could have no hesitation in rejecting the motion. A warm debate, however, was maintained by Mr Douglas, Lord Milton, and Mr Bennet, on one side, and by Mr Courtenay, Lord Escelles, and Mr Bathurst, on the other. Mr Wilberforce said, that although he condemned as much as ever the employment of spies, the present motion was so vague and indefinite, that he could not give it his support. The House divided, when the motion was negatived by 162 to 69.

## CHAPTER III.

## FINANCE.

*General View of the Financial State of Great Britain—Navy Estimates—Army Estimates. - Motion for the Reduction of the Army, by Sir William Burroughs, Lord Althorpe, and Earl Grosvenor.—Ordnance Estimates.—The Budget.—Plan for creating a new Stock at 3½ per cent.—Proceedings of the Committee of Finance.—Motion for the Repeal of Irish Assessed Taxes.—Lord Althorpe's Motion for the Repeal of the Duty on Leather.—Committee on Salt Duties.*

THOSE immense financial concerns in which Britain is involved,—the amount, unparalleled in any other age or country, of her revenue and expenditure,—and the heavy burdens with which she is pressed, must always form a prominent subject of consideration to the British Parliament. Even, in the most eventful periods, finance usually occupies at least the second place among the objects of its attention. It pressed at present as a heavy and difficult task upon those who held the reins of administration. The war, indeed, with its enormous expenditure, and annual accumulation of debt, was happily over; had it continued, the invention of no minister could have devised many new channels by which money could be wrung from the exhausted country. Matters, however, had already come to such a crisis, as to make it extremely difficult to place the finances on the footing on which they ought to be during a period of

peace. Two objects were then to be fulfilled.—First, the income and expenditure must be placed on a level; for to continue contracting debt now would be ruining ourselves without hope. But this is not enough: the immense debt already contracted, must be placed in some train of liquidation. These two objects were to be effected in the face of the public, which called aloud for some remission of the taxes under which they had groaned. They had already wrested from ministers the whole of the income-tax; and fresh motions to a similar effect were made every session, in which ministers were always on the brink of being outvoted, and which, if lost, were lost by smaller majorities than any other questions.

The present aspect of financial affairs appeared at first view not a little portentous and alarming. When it is stated, that, on a comparison of income and expenditure, there appeared a deficiency of fourteen millions, to



be supplied by a loan to that extent, some presages of final ruin could not fail to be excited. But it was to be taken into consideration, that there was a sinking fund of nearly the same amount, by which as much being paid as was borrowed, the nation was not deeper in debt at the end of the year than at the beginning. This fund was accumulated, partly from the original million set apart by Mr Pitt, partly from taxes regularly imposed to the amount of one per cent upon every loan, to be, with the interest, unalterably appropriated to the discharge of the sum borrowed. This system of borrowing with one hand, and paying with the other, has been the subject of derision to the economists of the present day. For ourselves, we cannot help admiring the resolution of Mr Pitt, in keeping the sinking fund as a thing sacred and separate, in good and evil, in war and peace. To have paid nothing, and borrowed less, would have been arithmetically the same; but it would not have been the same in its moral effect, or, we suspect, in its practical result. It had at least the effect of raising a large portion of the war supplies within the year, and brought with it all the advantages of that system. We question much if the whole, which, from 1793 to 1818, has been paid off by the sinking-fund, would not, without it, have formed an addition to the mass of debt, which would have been in danger of crushing the nation altogether. This fifteen millions of sinking fund was then a grand sheet-anchor to our finances, which, without them, would have been in a state truly deplorable. It is very true, that a nation, which has gathered over its head six hundred millions of debt, cannot be considered as in a satisfactory state, while no movements are made towards its diminution. On this head, however, the nation has

but too good a cause to plead. The straits and distress in which it has been involved, make it only astonishing that it should yield upwards of fifty millions a-year to defray the expence of its establishments and the interest of its debt. It is absolutely out of the nation's power to do more. The discharge of the capital is, not desirably, but inevitably, deferred to a happier era, which, it is hoped, time may bring in its train. The only facility which peace has hitherto afforded to this important object, consists in the overflow of the natural capital, and consequent reduction of interest. There is not a very distant prospect that government may be able to lower the interest on that part of the national debt which pays five, and even four, per cent: and as this operation would reduce the price at which the stock could be bought up, it would amount to a virtual reduction of the capital of the debt. An attempt to put the funds in a state to take advantage of this position of affairs, gave rise to the leading financial measure of the present year. It consisted in the raising part of the three per cents to three and a half per cent, in consideration of a proportionate sum paid in by the holders. Hopes are held out, that in consequence of certain arrangements, the holders of the higher stocks may be induced to allow them to be transferred into this state, when they must otherwise have gone into the four per cents. What grounds there may be for this expectation we cannot very positively say; but there is one advantage which seems very likely to arise from the measure. Should peace continue, money lodged on the high security of the public funds will probably at last fall to three per cent, when the three and a half per cents may be reduced to that rate; thereby cutting off a seventh part of the

whole amount of the stock. The details of this plan will be found in the Chancellor of the Exchequer's speech at the opening of the budget.

On the 4th February, Sir George Warrender moved the navy estimates. He said, there was this year a small increase in the supply for this branch of the public service. The committee of finance had foreseen the possibility of such an increase. The addition was 1000 sailors and 1000 marines. The whole amount of men now was 20,000 sailors and marines. The cause of this small increase was the necessity of keeping up an establishment at St Helena, and the state of South America. The rate of pay was somewhat higher in peace than war, because the proportion of able seamen to landmen was greater in time of peace, in order that the fleet might be more speedily put on a good footing, in case of emergency. The charge of ordnance was somewhat increased. A ship which, in time of war, had a compliment of 480 men, in peace had but 300, although the number of guns remained the same. The charge for ordnance was therefore increased in the proportion of from four to seven shillings per man per month. He then moved, 1. "That 20,000 men be employed for the sea-service for 13 months, from the 1st of January, 1818, including 6000 royal marines. 2. That 611,000*l.* be granted for wages of the said 20,000 men, at the rate of 2*l.* 7*s.* per man per month. 3. That 520,000*l.* be granted for victuals for the said 20,000 men, at the rate of 2*l.* per man per month. 4. That 559,000*l.* be granted for the wear and tear of the ships in which the said 20,000 men are to serve, at the rate of 2*l.* 3*s.* per man per month. 5. That 91,000*l.* be granted for ordnance for sea-service, on board the ships in which the said 20,000 men are to serve, at the

rate of 7*s.* per man per month."—These motions were agreed to.

On the 16th March, the House having resolved itself into a committee of supply, Sir George Warrender, after some previous observations, remarked, "Some observations had escaped gentlemen, which seemed to indicate an opinion, that that important branch of British power, the navy, had been neglected by the government.—Though this had appeared to be the opinion of some honourable members, from what had incidentally escaped them when other matters were in debate, he could not believe that such an idea was seriously entertained. The navy was felt by government to be the bulwark of the nation—the great source of its glory—and every thing had been attended to that promised to give it strength and efficiency.—Pensions had been given of late years, not merely to disabled seamen, but to those who might one day be called upon to serve their country again. There were at present no less than 35,000 pensioners belonging to Greenwich Hospital, a great number of whom were able to serve again if there should be found occasion to call upon them. The arrangements which had been made were such, that an expedition could now be fitted out sooner than at any former period. He might be allowed to remind the House how rapidly, in one recent instance, an expedition had been got ready for sea. The expedition with which it was prepared was as unexampled as was its efficiency when complete. To this the distinguished officer who commanded it (Lord Exmouth) had borne his testimony, and the brilliant manner in which the service on which it was sent had been accomplished, was well calculated to remove every doubt. Looking at these things—at what was done for—and what had so lately been done

by the navy, it must be seen that the fear that the navy had not been properly attended to—had not been kept in a proper state of efficiency, was vain. A state of peace did not afford those opportunities for brilliant enterprise and daring achievement which necessarily grew out of a state of war; but there were undertakings, even in times of peace, in which the courage, skill, and persevering spirit of enterprise which distinguished the British sailor, might be most usefully displayed. An expedition, the object of which was very important to the world, was now about to leave our shores. It had ever been the boast of this country, that in war it defended the weak against the strong; and in peace it had always been foremost to make those arduous exertions to extend the limits of geographical knowledge which her great naval means afforded her peculiar opportunities of attempting with success. At present, in various parts of the world, active and intelligent officers were making surveys of coasts hitherto unexplored, or but very imperfectly known. The expedition now about to be dispatched to the arctic regions, would attempt to solve a problem most interesting to maritime science. To services of this sort, he trusted British sailors would long be directed: but, if circumstances should again plunge us in a war, that powerful arm of defence, our navy, would again be put forth with a degree of strength and rapidity that had never been equalled in the history of the country." The honourable baronet concluded with moving, "That a sum not exceeding 2,480,680*l.* 17*s.* 3*d.* be granted to his Majesty, for defraying the ordinary establishment of the navy for the year 1818."

Sir M. W. Ridley, following up his motion of last year, moved the suppression of two Lords of the Admi-

nistrality, and the consequent saving of 2000*l.* a-year. This gave rise to a vote, in which the original motion was carried, by 85 against 58.

When the report of the committee was brought up on the 17th March, Mr Forbes raised some discussion relative to hardships alleged to be sustained by officers of the navy. When they received pensions for wounds, those pensions were not granted on the same footing as to wounded officers of the army. He had lately seen many instances of officers of the navy receiving for the same wounds considerably less than officers of corresponding rank in the army. A post-captain in the navy, who ranked with a colonel in the army, received only 250*l.* while the other received 300*l.* a-year. He wished also to allude to the case of pursers' clerks, some of whom, after eleven years' service, had been turned adrift without a sixpence. The whole of the persons in this situation amounted to thirty. He complained also of the alteration which had been adopted in the case of pursers. All the ships had been taken from them, and they had been put on a very inadequate half-pay.

Mr Croker, in reply, insisted, that there was no room for any alteration in the treatment of the two services. It was true, a lieutenant-colonel had 6*d.* a-day more half-pay than a young post-captain of the same rank. But then the post-captains went on rising without interruption till they were equal to full colonels, whereas a lieutenant-colonel remained where he was. For instance, in 1814, there were 200 post-captains who ranked as lieutenant-colonels. At that time there were also 1100 lieutenant-colonels. There was not one of these post-captains who had not risen to a rank equal to that of full colonel; whereas there was not one of the 1100 lieutenant-colonels, who was not still

lieutenant-colonel. The honourable gentleman complained that all the ships had been taken from the pursers. But how many of them could have ships? Not above 400. There were 900 in all; and so to give ships to 400 of them, he would reduce the other 500 to actual starvation. Pursers were brought up generally to the pen and ink line, and, in port, not one of them would live on board their respective vessels; so that the pay, which was only about 70*l.* a-year, if they did not remain on board, would really be less than the present half-pay allowance. Not one of them would make the exchange.

Mr Money having strongly urged the claim which the distinguished services of the navy gave them to the gratitude of their country, Mr Huskisson observed, that those gallant deeds were not heard of for the first time, nor could the House and country be charged as unmindful of duly rewarding them. The officers of the navy possessed extensive opportunities of prize money, which rarely occurred in the other service. On the late triumph at Algiers, to which the honourable gentleman had alluded, the sum of 100,000*l.* had been distributed among those who had been engaged in that service, besides the honours and distinctions conferred upon those who had signalized themselves by their conduct and valour. It had been said, that the late war had been barren in prizes; but he believed he was warranted in saying, that no war in the annals of this country had been more productive. The capture of Banda alone had afforded to many the opportunity of acquiring the means of independence, comfort, and wealth. Whatever difference there was in the remuneration for wounds was in favour of the navy. There, pensions were given for wounds which were not equivalent to loss of limb; while

in the army, unless the wounds received were fully equal to loss of limb, it generally happened that no pensions whatever were given. It often happened in the navy, that a man received 250*l.* for wounds, for which in the army nothing would have been given. After a little farther conversation, the resolutions were agreed to.

The army estimates excited considerably greater discussion. They were brought before the House on the 2d March, by Lord Palmerston, who referred to the following statement in the report of the finance committee, as giving the details of the estimated expence in 1818.

Land Forces (exclusive of			
France and India)	L.3,277,374	10	8
Staff do. . . . .	150,569	14	5
Public Departments . . .	146,546	11	5
Medicines, &c. . . . .	37,711	10	10
Volunteer Corps . . . .	123,541	9	9
Recruiting troops, and companies of regiments in India . . . . .	21,275	11	4
Royal Military College . .	25,514	16	9
Pay of general officers . .	176,935	12	9
Garrisons . . . . .	33,398	19	5
Full pay of retired officers	132,809	9	9
Half pay and military allowances . . . . .	682,763	15	10
Foreign half pay . . . .	136,385	0	0
Chelsea and Kilmarnham Hospitals . . . . .	1,111,154	9	7
Royal Military Asylum . .	32,851	0	3
Widows' pensions . . . .	98,874	11	2
Compassionate list, bounty warrants, and pensions for wounds . . .	161,806	3	7
Reduced adjutants of local militia . . . . .	20,805	0	0
Superannuation allowances	34,372	2	10
Exchequer fees . . . . .	35,000	0	0
Corps to be reduced . . .	54,600	0	0
<hr/>			
L.6,494,290			
10 4			

The reduction in the expence of the army, comparing the present with the last year, would, he was happy to say, amount to 188,072*l.* 19*s.* 3*d.* while the total reduction of charge in all the departments connected with our mi-

Many establishment was no less than 418,000*l*. Upon the score of numbers, the diminution of the army in the present year, compared with the last, would at home amount to 1995 effective men; while throughout the empire, including that in France, it would exceed 20,000, so that he would take the total reduction in round numbers at 22,000 men. In point of fact, however, it was right to state that the reduction of our force in Ireland was not so great as it appeared; for as it was impossible to equalize the effective force of regiments with nominal strength, the force in that country within the last year did not amount to the number actually voted. The amount of the land forces for the present year was stated at 25,000 for England, Guernsey, and Jersey; 20,000 for Ireland; 33,000 for our old and new colonies; 17,360 for the territories of the East India Company, exclusive of recruiting troops and companies; and 20,126 for our contingent in France. Without going through any very minute details, the land forces might be stated at a reduction of 74,000*l*. There was a saving of 16,557*l*. in the public departments. There was an increase of 11,265*l*. in the article of medicines, and of 101,624*l*. in those of Chelsea and Kilmainham hospitals; but these arose from accidental and temporary causes. A reduction might be expected in the amount of pensions, casualties, &c. which for the last four years had been on an average upwards of 180,000*l*. annually. The noble Lord concluded by moving, "That a number of land forces, not exceeding 113,640 men (including the forces stationed in France) and also 4200 proposed to be disbanded in 1818, but exclusive of the men belonging to the regiments now employed in the territorial possessions of the East India Company, or ordered from thence

to Great Britain, commissioned and non-commissioned officers included, be maintained for the service of the United Kingdom of Great Britain and Ireland, from 25th December 1817 to 24th December 1818."

Mr Calcraft expressed his conviction that a greater diminution than that now stated, might advantageously take place. He could not, for instance, see the necessity of 25,936 men for the peace establishment of Great Britain, and 20,058 for that of Ireland. Was there any thing in the internal condition of England, which called for a larger peace establishment than we had in 1792, and that, which amounted only to 15,000 men, was the largest peace establishment this country had ever previously known? He would also take leave to inquire of the Secretary of the Irish government, what were the circumstances which called for 20,000 men in Ireland, which was, in fact, little less than double the usual peace establishment in that country; for, from his own knowledge, Ireland, although by no means in a state of prosperity, was thoroughly tranquil. He did not mean to press the subject at present, on account of the thin attendance; but when the report was brought up, he was determined to move for a reduction to the extent of 8 or 9000 men. Lord Palmerston in explanation observed, that the 26,000 men, taken in the estimates, could not be considered as wholly applicable to the home service; a portion must be applied to the relief of the foreign garrisons. These garrisons consisted of a force of 33,000 men. Nobody would pretend to say, that the regiments thus stationed should be exposed to perpetual banishment. It would be neither humane nor constitutional. Some period must, therefore, be assigned for the return home of these regiments. Ten years were consider-

ed the limit of garrison service abroad. Now, allowing that the reliefs would amount to one-tenth of the force in foreign garrisons, that amount would take away from the 26,000 men 3000, for reliefs to be sent out. So that with these reliefs, and the defalcations arising from the non-effectives, the army for home service would not amount to more than between 18 and 19,000. Mr Peel also remarked, that after the unanimity that had marked the greater estimate two years ago, when the force admitted to be necessary was taken at 25,000 men, he confessed that he did expect the reduction to 20,000 and its causes would have been received with unmixed satisfaction. It was impossible for any man to demonstrate with mathematical accuracy the amount of force which the internal tranquillity of a country, situated as Ireland was, would require. The honourable gentleman considered that half the force, viz. 10,000 men, would be sufficient. Now, as far back as 1767, under Lord Townshend's administration, it was resolved that the force for Ireland should be 15,000, 12,000 to be always detained in the country, and 3000 for general service. After some farther conversation, the estimates were agreed to.

On the 3d March, when the report of the committee was brought up, Sir W. Burroughs rose and moved a reduction of 10,000 men. He insisted that there was nothing in the circumstances now, as compared with what they were in 1792, which gave the least ground for such an augmentation. At that period the French Revolution was in its vigour, while its poison was spreading throughout the world. That poison was perhaps no where more widely diffused than in this country, through the medium of the Jacobin Clubs. Insurrections had, indeed, actually taken place, and Ireland was off the eve of rebellion.

France was also in a state of extraordinary strength, and obviously preparing to make war upon this country. But what was the contrast at present? The Revolution extinguished—Great Britain and Ireland in a state of tranquillity—And France not only indisposed and unable to make war upon us, but depending for the preservation of its peace upon an army of 22,000 Englishmen, under the command of the celebrated Wellington. Was not this contrast, then, an additional reason for a reduced establishment at home, in this the third year of peace, and without the remotest probability of the disturbance of that peace, especially by any foreign power? Now, the whole of our force in Great Britain, in 1792, was only 15,000, and in Ireland only 12,000. Thus the total force for Great Britain was only 27,000, in 1792, while for the present year it amounted to no less than 57,270;—thus creating an excess of 29,526, or forming more than double our peace establishment in 1792. But, in addition to this excess, we had at present a yeomanry force of 23,809 for Great Britain, and 41,000 for Ireland. Thus we had in the aggregate an excess of force, at present, beyond that of 1792, amounting to no less than 94,335 men. What, he would ask, could be the reason for such an enormous excess?

These arguments were seconded by Mr Calcraft and Mr Brougham, who asked what was there in the state of the country so different from what it was in 1792, as to justify the necessity of augmenting the army in this degree? Was the year 1792 more particularly tranquil than the other years which had succeeded it? He would maintain, that if ever there was a period in which the constitution of this country was exposed to danger, it was in the year 1792. France was then threatening to sow discord and

sedition in the country, and great apprehensions were entertained for our external and internal welfare. But the terrors which the French Revolution had excited were now passed.— That Revolution, indeed, had long fallen into disrepute among the nations of Europe; and the danger which it was said to have inspired, was now on the other side. The danger which now existed was not a danger to be apprehended from the people,—it was a danger that arose out of the doctrine of legitimate governments, to be maintained and supported by military force,—it was a danger that the governments would go too far in trampling on the rights and liberties of their subjects.

Lord Castlereagh replied, that if he had not sooner taken part in the debate, it was not from any want of being impressed with its importance; but because he heard nothing urged which could be considered as an argument; and considered the thin attendance as a proof that the mind of the House was made up on the subject. With respect to the establishment of 1792, he begged the House to recollect that Mr Pitt, in that year, when he proposed the estimates, stated, that he had framed them on the prospect of a long period of profound peace. In this it unhappily proved that Mr Pitt was mistaken, for the war broke out the very next year; and the consequence of the lowness of the establishment in the year 1792 was, that this country suffered very much from an extreme degree of military feebleness during the first years of the war. The honourable and learned Baronet thought that we could do at present with a force of 10,000 men less than that in the estimates; but then he forgot to state the particular quarter in which the reduction was to be made. Was it seriously said, that any reduction could be made in the 26,000 men to

be kept up for the home-service? In which part of the home-establishment would the honourable and learned Baronet make his reduction? Not less than 11,000 men were required for the service of the metropolis and the dock-yards; and could 16,000 be thought sufficient for that of all England? He assured the House, that ministers intended to make every possible reduction which would not be inconsistent with the interests and safety of the country.

The question being put, the original estimate was carried by a majority of 51 to 21.

On the 6th March, at the bringing up of the report on the Mutiny-bill, Lord Althorpe made a motion for reducing 5000 men on the army-grant. He strongly urged the distressed state of the country, and the vast amount of debt and taxation. Since the noble Lord had objected to the period of 1792, he would allow him to chuse any year between the American war and the war with France. As this was the third year after peace, he would take the third year after the American war, that is, 1786. In 1786, the estimate for England had been 17,638 men, and for the colonies 9546. There were some Irish regiments employed, amounting to 2000 men; the whole of the estimate amounting to 29,780. But now the estimate for the old colonies was 24,000 men; and the whole of the estimate, with the exclusions he had made, amounted to 53,780. The whole difference would be, taking it as he had stated, upwards of 24,000 men. The noble Lord had accounted for part of the difference from the alteration of the mode of relief. He had set apart upwards of 6000 men for the purpose of relief. Such a number could not have been required upon his principle of excluding the new possessions, and therefore he would take that part at 2000 men.—

That accounted, then, for an increase of 4000 men since the American war. There remained still, however, upwards of 20,000 men unaccounted for. The reason why he had an intention of moving so small a reduction was, that one of 10,000 men had been lately refused by so large a majority of the House, that he had no hope of carrying one at all approaching that number. Indeed he might say, he had no hope of carrying his present motion; but certainly there was more hope of that than of one for the reduction of a greater number. In point of economy, the reduction of 5000 men, which he should propose, would certainly be a saving to the country of 180,000*l*. That was a sum of considerable importance at the present moment. We had 160 battalions, which, in 1786, consisted of only 400 men each, but at present of 800. He should propose to take 50 men from each of those battalions, the strength of which would not be materially impaired by being reduced to 750 men.

Lord Palmerston, in further illustration of his former arguments, observed, that the number of 26,000 men, proposed for the home-service, was reduced, by the number necessary for foreign reliefs, to 21,000. But this was not the only reduction; for it was to be recollected, that, in lieu of the men sent out, there were frequently only the skeletons of regiments returned home, from which, on examination, it was afterwards found necessary to discharge a great number of men as unfit for further service. The amount of this might be fairly stated at 2000, which, with the 1000 men for Guernsey and Jersey, would reduce the whole number from 26,000 to 18,000 men. This number could not be thought unreasonable for the protection of the country, when it was considered, that

a considerable number of them must be rendered ineffectual by sickness and other causes,—that a great number were necessary for the protection of the metropolis, and for the look-yards and other places. With respect to the force proposed for Ireland, it was not insisted that that was too great; and he should therefore make no observation upon it. As to the colonies, he did not think that the force there ought to be diminished, when the changes which had taken place in many of them were considered. In Canada, for instance, from the great extent of it, and its proximity to a state which might at a time of war invade it with such facility, it was necessary that a respectable force should be kept up. In the West Indies, the force was very little greater than what it was in 1792. In Jamaica and the Bahamas, the force in 1792 was 2200, and at present it did not exceed 3000. In the Leeward Islands there were 9200 in 1792, and at present there were only 3400. No argument had been advanced to shew that a reduction was necessary; for it was not fair to take the establishment of 1792 as a criterion by which to judge of the necessity of the establishment of the present year. The circumstances of this country, and the changes which had taken place in almost every other country in Europe, were the only things which should be considered.

After some observations from Mr Ord, Lord Nugent, and Mr Warre, the House divided, when Lord Althorpe's motion was lost, only, however, by a majority of 63 against 42.

When the bill was carried to the Lords, Earl Grosvenor moved a reduction on a still greater scale, proposing that the number 100,000 should be substituted for 113,600. He insisted that the former number was sufficient for every needful purpose;



and dwelt much on the danger to our liberties from a large standing army in time of peace.

Earl Bathurst endeavoured to shew, that these fears were wholly chimerical. The whole number of troops allotted for North Britain was 2500. Did the noble Earl think the Scotch so destitute of spirit and courage, that this force was sufficient to impose chains on them? If their Lordships also deducted the number of troops necessary for protecting the dock-yards, and guarding the coast, a very small proportion would remain available for other purposes. It was necessary to guard the coast to the land's-end, to check a sort of free trade which found many supporters in the country; and, in fact, when those troops, and those employed in the dock-yards, were deducted, there remained not quite 4000 men applicable to the enslaving of the population of the metropolis, and twenty-five miles round it.

Earl Grosvenor replied, but did not attempt to press a division.

The same discussion was not excited relative to the ordnance estimates, moved on the 10th April by Mr R. Ward. A variety of regulations and retrenchments had taken place within the last year in the department of the master-general, and there was only a single addition in one particular branch. The general outline of the establishment for the current year, as compared with the peace establishment of 1788, presented only an augmentation of 47,000*l.* which, considering the extended nature of the present service, was an extremely small addition, and at once shewed the pains that had been taken to make every possible reduction. He would reserve any explanations that might be necessary till they should be called for, as the estimates were read. He concluded by moving,

“That a sum not exceeding 596,469*l.* 1*s.* 8*d.* be granted to his Majesty, in full, for the charge of the office of ordnance for land service in Great Britain for the year 1818.” The only discussion raised on this subject was by Mr Bennet, respecting the officers of the corps of artillery drivers, of whom some were reduced to half-pay, without any chance of ever being recalled to service, while others had full pay. Mr Ward replied, that this corps had increased during the war to 7000 men, divided into twelve companies, eight of which had been reduced on the return of peace. This was not from any fault of theirs; they merely shared the fate of the rest of the army, and experienced what from the first they had been taught to expect. In consequence of a subsequent arrangement, some officers of the remaining four corps were also reduced, and these were put upon full pay in consequence of an express agreement which had been made to that effect. When the report, however, was brought up on the 13th, Mr Bennet and Lord Cochrane again expressed their dissatisfaction at this inequality; and Lord Carhampton at the great and increasing expence of this department, which he insisted might be reduced, one-half for England, and two-thirds for Ireland. Mr Ward declared, that if the noble Lord would suggest any practicable retrenchment, he would gladly listen to it, but he was not himself aware of any. The resolutions were then agreed to.

These detached estimates having been thus arranged, the Chancellor of the Exchequer, on the 20th April, brought forward the Budget, or general estimate for the year, of the expediture, with the means by which it was to be provided for. He at the same time laid open his plans for the reduction of the unfund-

ed debt, and for forming the 3 per cent stocks into a new stock to bear interest at  $3\frac{1}{2}$  per cent. On the first of these subjects he stated, that the House had already voted the navy estimates, the army estimates (with the exception of the barracks, the commissariat, and the extraordinaries) and the ordnance estimates; and a considerable progress had been made, in the miscellaneous estimates, although some items still remained to be granted. By referring to the votes, the committee would find the sums that had already been granted. The sum intended for the army extraordinaries was 1,400,000*l.*; the particulars of which would on a future day be submitted to the committee. The votes which had already passed for the army, added to this sum which it was proposed to vote for the extraordinaries, would make a total for the army in the present year (exclusively of the troops in France) of 8,970,000*l.* Last year the vote for the army had been 9,412,373*l.* In both cases were included the expenses of the disembodied militia, which had not been voted last year until a late period of the session, but in this had been added to the general vote for army services in the committee.—The sum voted for the navy last year was 7,596,022*l.* In the present year it was 6,456,800*l.* The expence of ordnance in the present year, including the naval ordnance, which had formerly been voted under the head of navy, but which he thought best to refer to the general head of ordnance, was 1,245,600*l.* Last year it was 1,270,690*l.* The miscellaneous estimates in the present year were 1,720,000*l.*; in which, however, he of course did not include the sum of 1,000,000*l.* granted for building of new churches and chapels. He had thought it best not to include that sum in the accounts of the year, as exchequer bills were to be issued

for the specific purpose of providing for it. In the miscellaneous estimates, however, was included the vote of 100,000*l.* for the augmentation of small livings. Last year the miscellaneous estimates amounted to 1,795,000*l.*—The total of the supply, therefore, under the various heads which he had enumerated, was 18,392,400*l.* Last year it had been 20,074,991*l.* To this sum of 18,392,400*l.* were to be added 2,000,000*l.* for the interest of exchequer bills, and a sinking fund on them of 560,000*l.*; making the grand total of supply 20,952,400*l.* That for the last year was 22,304,091*l.*—He thought it very probable that in consequence of the arrangement that had been made for funding a large proportion of the outstanding exchequer bills, there might be a saving upon the interest; but it must be recollected that, whether that should turn out so or not, provision had already been made for them. In addition, however, to the regular services which he had mentioned, there were some few items of expenditure, already voted by Parliament, that remained to be provided for. The first was the grant of 725,681*l.* 12*s.* 3*d.* for fortifications in the Netherlands, in pursuance of the treaty of 1815; but it was not intended to propose any addition to the burthens of the country on that account, as the expence was to be defrayed out of the French contributions in the hands of the commissioners. The second item was the sum of 400,000*l.*, which had been voted for carrying into execution the treaty with Spain for the abolition of the slave trade. Another extraordinary item was 259,686*l.* to supply the deficiency of the ways and means of last year—not arising out of any failure of the ways and means themselves, but from the circumstance of the vote for the charge of disembodied militia, to the amount of 300,000*l.*, which took place last ses-

sion after the other supplies had been voted, and the ways and means provided. These two extraordinary payments which were this year to be provided for, amounted to 659,686*l.*, which, added to the regular supplies for the service of the year, made 21,011,000*l.*—He should now briefly state the manner in which he proposed to provide for this sum. In the first place there was the vote of 3,000,000*l.* on the annual taxes, which it was unnecessary to explain, as the same vote was proposed yearly. The next sum was 3,500,000*l.* on those excise duties which by law were continued till 1821. It would be found, by reference to the accounts, that in the year ending the 5th of April, 1818, those duties produced only 3,184,950*l.* But from the state of progressive improvement in which they now were, there was a fair prospect that within the year 1818 they would produce three millions and a half. The next item was the usual sum of 250,000*l.* by way of lottery. The sale of old naval stores, it was estimated, would produce a similar sum. The next item arose from some considerable arrears to be received on the property-tax. In the last year 1,522,648*l.* had been received from that source. Still 350,000*l.* remained to be collected, of which it was calculated that about 250,000*l.* would probably be received in the present year. There was also a sum of 21,448*l.*, arising from the profits resulting from the loan of 1,000,000*l.* of exchequer bills granted last year, to promote public works, and for the general employment of the poor; which profits the commissioners for managing that loan had already paid into the exchequer; and much more was expected to be returned in the course of the current year. The total amount, therefore, of what might be called the ready money of the ways and means, was

7,271,448*l.* Comparing this sum of 21,011,000*l.*, which he had stated to be the total amount of the supplies, it would appear that there was a sum of about 14,000,000*l.* to be provided for, for the service of the year. With a view to provide for this sum of 14,000,000*l.*, and also to effect a considerable reduction of our unfunded debt, ministers had resolved to enter into the arrangements which it was now his duty to explain to the committee. Ever since the peace, ministers had entertained the wish to reduce the amount of unfunded debt which had been accumulating. Within the last two years, no less than eighteen millions had been added to it, in consequence of the vote of the House against the continuance of the income-tax; and it now amounted to fifty or sixty millions. No inconvenience had indeed been felt in consequence, but in the event of public alarm or danger, it might be productive of serious mischief. In the present state of the money market, a great part of this debt could easily be funded, and on terms so advantageous, as would make the delay very profitable to the public. He had expressed his opinion of the expediency of funding exchequer bills whenever the 3 per cents should rise to seventy-five. They were now at eighty. Time, therefore, he was glad to say, had justified his opinion; for no less than two millions were saved within two years to the country, by preferring the issue of exchequer bills to the contraction of any loan; and it was now proposed to fund twenty-seven millions of those bills, an amount much larger than he had anticipated. Although, however, the whole debt now floating was funded, it would not raise the capital of the national debt beyond the amount at which it stood at the conclusion of the war. Since 1st November, 1815, the sink-

the fund had paid off fifty millions of this capital; by which operation, and by the removal of so great an amount of unfunded debt, he hoped the money-market would be so improved as soon to admit of the reduction of the four and five per cents.

Mr Vansittart now proceeded to state his plan for the creation of a new description of stock. The object of ministers had been to raise a considerable sum of money for the service of the year, without increasing the nominal capital of the debt, by creating out of the three per cent stock a stock which should bear the interest of three and a half per cent; while the existence of such a stock would naturally serve to facilitate the reduction of the four and five per cents; for the three and a half per cents would rise to par sooner than the three per cents; and if the holders of the five per cents were to be reduced to four per cent, instead of this three and a half stock, there might be an apprehension entertained by them that they would be eventually reduced to three, which, by the terms of the contract for the creation of the three and a half per cent stock, they were secure from for ten years. On those grounds he looked to the new stock as the means of affording great facilities for the reduction of the four and five per cents; while the creation of that stock produced no addition to the nominal capital of the debt. It was proposed, that the new stock should consist of 27,000,000*l.*, by which the sum of 3,000,000*l.* would be raised for the public service, by the payment of eleven per cent on the sum transferred, as a compensation for the difference of value between a three and a half and a three per cent fund. It was also proposed to fund exchequer bills, to the amount of 27,000,000*l.* The terms had already been before

the public. The subscriber would have to pay 11*l.* for every 100*l.* stock transferred from the three per cent into the three and a half per cent stock. The actual difference, considered in the light of an annuity between the three and the three and a half per cent funds, would have been when the offer was made thirteen per cent; that was supposing the price to be seventy-eight. In this offer, a fair and free bonus was held out of two per cent; but were it not for the protection to be afforded to the three and a half per cents, by the purchasers of the commissioners for the reduction of the national debt, the difference would indeed be extremely small. The public would be a gainer on the whole transaction of 3,000,000*l.* He had also been encouraged to make the present experiment, from the success of an arrangement, sanctioned by parliament last year, for legalising the transfer of three per cent stock into the Irish three and a half per cents, by the sacrifice of a seventh of the capital so transferred. This plan had been acted on last autumn to the amount of half a million,—a material sum, considering the circumstances of Ireland. But such transfer manifesting the willingness of stockholders to avail themselves of a proposition for the investment of money in a three and a half per cent fund, and the Irish proprietors in the British stocks so promptly making the transfer with the view of having their interest paid to them in Dublin, it struck his mind that other holders of the three per cents might be equally ready to seek an advanced interest on their capital in London. Hence the present plan was brought forward. In the original notice at the bank, it had only been stated, that a subscription would be opened for raising a part of the supply of the year; and it was proposed, that the parties transferring

their stock should have the option of funding exchequer bills to the extent of double the amount of the money to be paid, as the consideration for the exchange of three per cents into a three and a half per cent stock. Under this plan 6,000,000*l.* of stock had been subscribed for transfer within the first three days.

After this time, a farther opportunity was offered by the second notice for funding exchequer bills to the amount of a sum equal to the stock transferred. This was so much approved of, that nearly the whole sum had been raised at the time he was speaking—and there was no doubt of its speedy completion. The addition to the funded debt, in consequence of the propositions which he had to submit, would be about 34,900,000*l.* of stock, which, however, would only produce an augmentation of the nominal capital of the public debt beyond the money actually raised, to the amount of between four and five millions, being the difference between the above sum of 34,900,000*l.* and that of 30,270,000*l.* either of money to be paid in, or of unfunded debt reduced. According to the last intelligence from Ireland, he understood that the price of three and a half per cents in that country was 93; which bore a full comparative proportion to the English three per cents.

The committee would observe, that the rate of interest was lower than could have been expected at the termination of an expensive war, and under all the circumstances in which the country was placed. This interest it was proposed to provide for by cancelling stock according to the act 1813. If the committee would compare the terms on which eleven millions of naval exchequer bills were funded in 1785 by Mr Pitt, with the present plan, the difference in favour of the latter would be immediately seen. The funds were only at 56 in

1785, which was a period of peace; but, by the operation of the sinking fund, which had enabled the country to make such extraordinary efforts in the late war, the funds were at 57 even at the close of that war—and they were now as high as 80. With this fact before the committee and the public, every man must see that no doubt could be entertained of the success of the new stock. The honourable gentleman then moved his resolutions, the essence of which is comprised in the following clauses:

1. "That, towards raising the supply granted to his Majesty, every person who shall, on or before the 24th of April, 1818, have subscribed his name in the books of the governor and company of the Bank of England, for the purpose of converting not less than 2000*l.* capital stock in the 3*l.* per cent consolidated, or 3*l.* per cent reduced annuities, into annuities at the rate of 3*l.* 10*s.* per cent per annum, shall, upon the transfer of such 3*l.* per cent annuities to the account of the commissioners for the reduction of the national debt, and upon payment to the chief cashiers or cashiers of the governor and company of the Bank of England, at the times hereafter mentioned, of the sum of 1*l.* in money for every 100*l.* of the said annuities, be entitled to 100*l.* in annuities, after the rate of 3*l.* 10*s.* per cent per annum, which annuities shall be charged upon the consolidated fund of the united kingdom of Great Britain and Ireland, and shall be payable half yearly, at the Bank of England, on the 5th of April, and the 10th of October, and shall be transferable in the books of the governor and company of the Bank of England; and the whole of the money to arise from the payment of 1*l.* on each 100*l.* 3*l.* per cent consolidated or reduced annuities to be subscribed, or to be transferred as aforesaid, shall not exceed the sum of 3,000,000*l.*"

2. "That, towards raising the supply granted to his Majesty, every person who shall, on or before the 24th of this instant April, have subscribed his name in the books of the governor and company of the Bank of England, for transferring to the account of the commissioners for the reduction of the national debt  $3\frac{1}{2}$  per cent annuities, for other annuities at the rate of  $3\frac{1}{2}$  per cent, shall be at liberty to subscribe his name in the books of the said governor and company on the 28th or 29th of April, or the 2d of May next, for converting into  $3\frac{1}{2}$  per cent consolidated and reduced annuities, upon the terms and conditions hereafter mentioned, any exchequer bills already issued, or which may be issued, before the 1st of August, 1818, and which may not have been advertised to be paid off before the respective days of payment hereafter specified, to an amount not exceeding 100*l*. in exchequer bills for every 100*l*. of stock subscribed to be transferred to the account of the commissioners for the reduction of the national debt; and that every such person shall, at the time of so subscribing his name, make a deposit with the chief cashier or cashiers of the governor and company of the Bank of England, equal to  $5\frac{1}{2}$  per cent at least, on the amount of exchequer bills so subscribed, as a security for delivering into the office of the paymasters of exchequer bills the amount of exchequer bills so subscribed, in manner following: viz. 20*l*. per cent on or before the 1st of August; 20*l*. on or before the 3d of September; 20*l*. on or before the 1st of October; 20*l*. on or before the 31st of October; the remainder on or before the 26th of November. And that, whenever the deposit shall have been made at the bank in money, as aforesaid, the paymasters of exchequer bills shall, so soon as the subscriber shall have brought in exche-

quer bills to the whole amount of his subscription, return to such subscribers the amount of such deposit; or such deposit may be taken into account as a part-payment of the subscription of such subscribers."

Mr Brougham observed, that he could not be expected to follow at once all the multiplicity of details into which the right honourable gentleman had entered, many of which appeared to him calculated to conceal from the committee the real character of the measure. The great and new plan of finance broached by the right honourable gentleman, seemed to resolve itself into this, (and if he misunderstood it, he should be happy to be set right,) that a clear deficit existing of somewhere about fourteen millions—that deficit must somehow or other be supplied: and this great and new plan consisted in some way or other borrowing the sum necessary,—in contracting, in fact, a new loan, either from a three and a half or a three per cent stock, the interest of which (to be charged on the sinking fund,) would amount to nearly 1,200,000*l*. Whatever might be the details of the proposition, that he conceived to be the result, or, in vulgar language, the upshot of it.—Now, after three or four years of peace, he, for one, could not consider that a state of things, in which such a proceeding became necessary, was at all flattering. The invention of the new stock of three and a half per cent was another matter on which, with his present information, he must be allowed to withhold his felicitations. This stock, according to the right honourable gentleman's representation, appeared to be intended for a kind of half-way house for the four and five per cents in that journey downwards, which the right honourable gentleman seemed confidently to anticipate they would make at no very distant period. The right

honourable gentleman had declared that the advantages of his new plan in this respect were as plain as possible; for that if a holder of five per cents were required to commute his stock for a stock bearing a lower interest, he would rather change it;—he supposed the right honourable gentleman was about to say, for three and a half per cent stock than for three per cent;—but no—he would rather change it for three and a half per cent than for four! And the reason assigned by the right honourable gentleman was, that the holder of five per cents, thus at once commuting his stock for three and a half per cent, would feel confident that it would never be reduced lower. For his own part, if he had the good fortune to be a large holder of five per cent stock, and if he were asked whether he would commute it for stock at four, or stock at three and a half per cent, he confessed that he should think the right honourable gentleman's argument, by which he would persuade him to prefer the three and half per cent, very metaphysical. He would beg to have the four per cent stock in the first instance, and to talk about the three and a half at leisure—knowing at least this, that while he retained the four per cent stock, he should be enjoying a half per cent more than he would have done had he embraced the other branch of the alternative. But on what ground was any holder of five per cent stock to entertain a confidence that if his stock were reduced to three and a half per cent it would never be reduced still more? He was at loss, therefore, to see what temptation there was to the holders of five per cents (in the event of circumstances warranting any change) to take these three and a half per cents in preference to four per cents; and if there was no such temptation, he wished to know with what public

benefit this new and grand financial invention was pregnant. He deprecated also the paltry gain by the lottery, a pernicious and immoral object, especially when a larger sum was voted for a moral object, that of suppressing the slave trade—a vote, however, of which he cordially approved.

The Chancellor of the Exchequer observed, in reply to Mr Brougham, the honourable and learned gentleman had declared his surprise that he should entertain an expectation that the holders of five per cents should be induced to prefer the three and a half to the four per cents, on the ground that the three and a half per cents were not liable to reduction. In the first place, they could not be reduced for ten years. It was likewise to be observed, that, approaching as the three and a half per cents did to the lowest rate of interest, there was less probability of their reduction. When it was considered that they must rise much above par before any reduction could be attempted, they must be very sanguine indeed with respect to the prosperity of the country, who looked for a speedy reduction of them. After a short conversation, in which the plan was defended by Mr Maberly, Mr Hart Davis, Mr Huskisson, Mr C. Grant, and answered by Mr Grenfell, Mr Frankland Lewis, Sir J. Newport, Mr J. P. Grant, and Mr Lyttleton, the resolutions were agreed to.

On the subject of finance, it is proper to mention, that on the 3d February, Lord Castlereagh moved the reappointment of the committee of inquiry upon that subject. His lordship observed, that whatever difference there was respecting any particular measure which they might have recommended, there could be no difference as to its activity and fidelity. If some doubted whether the course of their investigation had been in the

true spirit which parliament and the country expected from them, there could be but one opinion as to the extent of their inquiries, and the importance of the objects to which they had turned their attention. The committee had drawn up six extensive and laborious reports respecting the official establishments, the official reductions which were advisable, and the modifications which might be advantageous to the public service. Though the committee had not imagined that the House had devolved to it the consideration as to what precise establishments would be necessary in the great branches of the public service—the army, the navy, and the ordnance; yet they had exhibited so many and so important views on that subject, that when the House hereafter discussed those subjects, their decision would be much more easy. The committee also had made inquiries on the great subject of the general revenue and expenditure of the country, and how far likely they were to square and meet. The motion was agreed to; and the following members appointed: Lord Castlereagh, Mr Banks, the Chancellor of the Exchequer, Lord Binning, Mr Bootle Wilbraham, Mr Peel, Mr Hart Davies, Sir George Clerk, Mr Frankland Lewis, Mr Huskisson, Mr Tremayne, Mr Nicolson Calvert, Mr Davies Gilbert, Mr Cartwright, Mr Halford, Mr Lyttleton, Lord Clive, Mr Gooch, Sir Thomas Ackland, Mr Robert Smith, and Mr Calvert.

On the 25th May, the committee presented an elaborate report, in which they gave a view of the financial state of the kingdom for the last, and its probable state for the following year. The actual produce of revenue for the year ended 5th January, 1818, had been 51,665,460*l.* a sum which fell short of the estimate by 1,981,546*l.* This deficiency had indeed been more than covered by the arrears of

property-tax and other repeated war duties, amounting to 2,930,531*l.* This was a temporary source; but the great increase which had taken place in the quarter from January to April, arising from a prosperous state of the country, afforded favourable expectations with regard to the produce of the following year. The deficiency had been chiefly observable in the excise, where it amounted to 2,355,317*l.*, while in the post-office there had been also a deficit of 153,500*l.*; but in the customs, stamps, assessed taxes, and miscellaneous receipts, the amount had exceeded the estimate. Upon the whole, the revenue had fallen short of the expenditure by the sum of 654,696*l.*, though in consequence of balances remaining in the Exchequer, there had been, upon the whole, a diminution of debt to the amount of 2,642,517*l.* The committee considered themselves as having good grounds to estimate the produce of the ensuing year at 52,500,000*l.* while the charge, exclusive of the sum employed in the redemption of debt, and provided for by the sinking fund, might be estimated at 51,087,000*l.*, leaving an excess of income over expenditure, amounting to 1,413,000*l.* It thus appears, say they, that with respect to the year 1818, the income may be considered as very nearly balancing the expenditure, exclusively of any increase or diminution of debt; and that in the year 1819, after making allowance for the probable increase of expence unavoidable upon an event, which, under the treaty of peace with France, must occur, if not in the next year, within little more than two years from the present time, the expenditure (exclusively, in like manner, of the sum to be applied in reduction of debt) will be within the probable income, from whence it will follow that any improvement of the revenue beyond the limits of the estimate, on the one hand, and every



diminution of expence that may be made in future years, on the other, would have the effect of creating a surplus annually applicable to the diminution of the public debt; an object to which the wisdom of Parliament, and the exertions of the government, cannot be too steadfastly directed; which has, indeed, taken place to some extent in each of the two years, whereof the actual expenditure has been under the consideration of your committee, although not affected by income belonging to the ordinary receipt of the year; and to the furtherance of which your committee are willing to believe, that the measure to which they alluded at the close of their fourth report, viz. the reduction of the interest on the five and four per cents, must, under a continuance of the present favourable prospects, and with the growing abundance of capital in the united kingdom, materially contribute at no distant period.

Notwithstanding the difficulties under which the finances of Britain laboured, considerable efforts were made to obtain the repeal of several taxes considered as burdensome. The attention of the House was called most strongly to the Irish window tax, petitions against which were presented from Dublin, Cork, and others of the great cities of Ireland. On the 21st April, its repeal was moved by Mr Robert Shaw, who observed, that the citizens of Dublin, and the rest of the Irish population, who had cheerfully borne their share of the common burden, now looked forward to a portion of that relief which had been granted to Britain in the repeal of the property and other taxes. There was none, to a deliverance from which they looked forward with such anxious expectation as the present. "The tax was always peculiarly obnoxious to the citizens of Dublin for several reasons—its very unequal pressure, the

inquisitorial nature of its levy, and the ruinous consequences resulting to the health of the city, from the contrivances of all the poorer classes to evade it; and it is now more oppressive than ever, from their total inability to pay it. On its imposition by the last Parliament that ever sat in Ireland, it was at first very generally opposed, until the Chancellor of the Exchequer repeatedly pledged himself on the part of the government, that it was intended for a war tax only; and accordingly the tax was proposed and enacted, at first, for three years, provided the war should last so long. I hope I shall not be told that the pledge of one minister is not binding on his successor. Sir, it is of the last importance, that in all transactions between the people and the government, the faith of that government should not only be pure, but above suspicion; and I entreat gentlemen seriously to consider, whether resorting to such an argument may not be received by the people of Ireland as an unworthy pretence for breaking an engagement we do not wish to keep. Mr Corry was then the financial minister, and as such he pledged himself and the government, of which he was in that instance the accredited organ, that if the Irish House of Commons would grant that tax, their constituents should be relieved from it at the end of the war. The tax was voted, and has been levied ever since: the people of Ireland have cheerfully fulfilled their part of this contract; and if the Irish Parliament were now in being, is there a doubt that this pledge would have been redeemed on the conclusion of the war? I am sure that I shall not appeal in vain to the justice, to the honour of this House, to redeem that pledge which the Irish Parliament, in I might almost say its last moments, gave to the citizens of Dublin. Un-

der the present act, the collectors can demand an entrance into every room in every house in Ireland, from eight in the morning until sunset, and insist upon admission, under a penalty of 20*l*. I need not say that there might be instances, in the case of sick persons of the other sex, where every gentleman who hears me would recoil at the idea of such an act being rigorously enforced; and I must add in candour, that there is little apprehension of any such abuses in a department under the superintendence of a gentleman, whose talents and assiduity, since he became chief commissioner of excise, have been gratefully and universally acknowledged; but still it is no answer to the many objections against the harsh provisions of this act, that they are not as rigorously enforced as they might be. It is not to be forgotten, that, harsh as they are, they are still as much the law of the land as the Bill of Rights, and under them a collector, if any house was unoccupied by the absence of the family in the country, or for any other cause, might, after the empty formality of affixing a notice, break open the hall door under the warrant of any inspector of taxes, and seize and sell the furniture he found within. There is another point of view in which this tax was peculiarly pernicious. Health is the first of temporal blessings, and contagion, for the time, perhaps the most tremendous of all national calamities. During the alarming prevalence of fever this last year in Ireland, it was the unanimous opinion of the faculty, that unless the houses were more generally ventilated, the contagion must spread, and a plague be the consequence. That part of the city of Dublin now occupied by the poorer orders, had become miserably unhealthy from the constant devices to evade the tax, by stopping the win-

dows and excluding the light and air, so that the inward part of the dwelling was dark and noisome, and when crowded by fever patients, served as so many nurseries for contagion. The danger became so imminent, that the government took the alarm, and the right honourable gentleman, who for so long a period had conducted the administration of Ireland, with equal firmness, temper, and talent, acted here in a manner worthy of himself. Abandoning all minor considerations of revenue to the paramount one of the health and general safety of the community, that right honourable gentleman gave orders that all the windows which had been hitherto closed up, and that were necessary for ventilation, should be thrown open for that purpose, without subjecting the owners to any additional claims on the part of the excise. In short, Mr Shaw declared, the citizens of Dublin are all as one man against the tax. They think it unjust in principle, severe and unequal in its pressure, unconstitutional in its levy, and in all its practical effects upon the poorer orders, and endangering the health of the community." The sum produced by it did not exceed 300,000*l*., a drop in the ocean, compared to the vast income of the empire. He therefore moved a committee to consider the expediency of its repeal.

The Chancellor of the Exchequer stated, it was with much regret he felt himself bound to oppose the proposition of the honourable gentleman. It rested on two grounds—the supposed pledge given by Parliament, and the oppressive nature of the tax itself. With regard to the first of these grounds, it rested entirely on a fallacy. Though it might, when originally proposed in Ireland, have been contemplated as a war-tax, yet, having been, from time to time, enacted

ed, and at length pledged, as a security for certain charges on the consolidated fund, it appeared to him to have lost that character; and he conceived the people of Ireland had now no right to demand its repeal, on the ground that the faith of Parliament would be violated, if it were not removed. It was a fact well known, and which shewed that the faith of Parliament was not pledged for the removal of this tax at the end of the war, that the same Chancellor of the Exchequer, Mr Gorry, who proposed it in the Irish Parliament, made no proposition, at the time of peace of Amiens, for its repeal. But, if he even had noticed such a pledge, when the peace of Amiens was concluded, the proceedings that afterwards took place in Parliament would have removed the effect of such notice. In the next Parliament, the tax was continued—though certainly it was in the power of the legislature to have repealed it, if they thought fit, and to have introduced any other tax they pleased to make up for the deficiency which such an act would have created. But it having been pledged for a part of the debt, they could not, on any principle of good faith, have entertained such a proposition. If, indeed, it should appear, that Ireland bore more than her share of the common burden, she might have a fair claim for relief. But this was not the case. The expenditure of Ireland, at the consolidation of the two treasuries, was 6,500,000*l.*; her revenue was short of 4,500,000*l.*; so that the whole deficiency, amounting to 2,000,000*l.* might be said to arise from that consolidation, Ireland not having paid her just proportion. That deficiency she was bound to make good. With respect to the pressure of the window-tax, he begged to observe, that the distress which was felt in Ireland, on account of the scarcity

of provisions, necessarily rendered it more than ordinarily difficult to support the pressure of taxation; but it certainly did not go to the extent which some gentlemen had stated. Perhaps it would not be improper to grant a certain degree of relief to the people of Ireland, with respect to this particular tax. The subject had not escaped his attention; and he had prepared a schedule, from which it would appear that a considerable relief would be extended to them. The general principle would be to relieve the people of Ireland from the additional duty of 25 per cent, which had been laid on a few years ago. The relief to those on whom the tax pressed most heavily would be 25 per cent; to others a smaller degree of relief would be granted. He was obliged to the honourable member for noticing the rumour, that this tax had tended to produce contagion in Ireland, on account of the obstruction of air, occasioned by the shutting up of windows, because he could give a satisfactory answer to it. His answer was this, that the government of Ireland had authorised the opening of windows, deemed necessary for the health of the inhabitants, without payment of window-tax, when application was made for that purpose; so that this tax could not fairly be considered as the means of extending a dangerous malady in Ireland.

Mr Plunkett insisted, that there was clear, direct, and specific evidence, that the tax was only intended as a war-tax. It was first introduced in 1799, and the House would find, by the 40th of the King, cap. 4, that the tax was granted for the purpose of keeping up an effective force of 49,973 men—that was for the express purpose of maintaining a war-establishment. It was recited, in the body of the act, that the tax was laid

on for this purpose, and no other. If it were not then a war-tax, completely incapable of being explained away, he was utterly at a loss to know what a war-tax was. It had been stated, that at the peace of Amiens, the Chancellor of the Exchequer, Mr Corry, who had proposed the tax, did not think it right to move for a repeal of it. Now, it did not appear to him to be a fair inference, because a Chancellor of the Exchequer was not in the greatest hurry—did not seize the earliest opportunity—to remove the burthens of the people, that, therefore, no pledge for their removal had been given. In the short period during which peace then prevailed, it was not surprising, perhaps, that the tax was not taken off. He could not accede to the proposition, that Ireland did not pay her fair contribution to the exigencies of the empire. She certainly had not paid the 2-17ths stipulated for at the time of the Union; and for the plainest of all possible reasons, because she could not—because a burthen, utterly disproportioned to her strength, had been imposed on her. What had been her exertions? The sum now paid into the treasury was three times the amount of her net income at the time of the Union,—and, notwithstanding this, the debt of Ireland had increased nearly five-fold since that event. Was not this a proof that, at the time of the Union, a mistaken estimate had been made of her powers? The statement sounded very well at the time. It was gratifying to the people of this country to be told—"You are very much in debt, it is true—but Ireland is to pay a considerable portion of it." They were now, however, dealing with sober realities. Ireland would not, for she could not, pay it. On this country must fall. Ireland could not exert herself beyond her strength—she could not pay beyond her means.

Were the right honourable gentleman to go back to Dublin—were he to notice the unhappy beings whom he would meet in every direction—were he to mark their meagre and famished countenances, and to witness the despair which characterized their looks—were he to know the disappointment which had settled in the minds of the better order of people, deprived as they were of their ordinary comforts—he could not avoid feeling a great anxiety, if it could be reconciled with the public interest, to remove those burthens which pressed most heavily on the people of Ireland.

Mr Peel said, that nothing could have given him greater pleasure than to support any proposition for the relief of the Irish people, whose case had every claim to consideration.—With regard to the supposed pledge, however, he conceived the honourable gentleman to be entirely mistaken. When the tax had been first imposed, in 1799, by Mr Corry, the windows which were opened on the 1st of January in that year were charged. This same regulation was proposed to be adopted in the next year, though it was known that in the interim several windows had been closed up. Several petitions were sent in against it; and it was alleged, as a great hardship, that persons should be charged for windows which they ceased to use: but it was answered, that such a regulation was only to continue for three years, if the war lasted so long. In 1800, there had been two acts passed relating to the tax—one for continuing it, and the other for regulating its collection, according to the first plan: And the words to which the right honourable gentleman had alluded, were not the words of the act for continuing the tax, but of that for regulating it. Neither did he conceive that this tax had pro-

duce any effect in spreading the contagion of fever through Ireland. He had devoted much of his attention to the subject of contagious fever, and conceiving that the operation of the window-tax was likely to increase that disorder by a want of air, in consequence of the windows being closed up, he issued an order to different collectors and inspectors in the districts where the disorder prevailed, directing them to have it made known, that wherever it was found by a physician that windows should be opened in houses where fever existed, there would be no additional tax charged for any windows so opened. When this order was issued, the persons to whom it was directed were ordered to make returns of the applications made in the different places for leave to open windows, in order to ascertain how far the tax really operated in increasing the contagion. He would now inform the House what were the returns made on that occasion, from which it would be clearly seen, that the window-tax did not at all tend to the increase of fever. In Dublin there was not a single application to open a window—in Kildare none—in Waterford none—in Cork none—in Coleraine one. In all—there were only seven applications in Ireland. It was possible that physicians might have ordered windows to be opened in some instances without having informed the inspectors of taxes of it; but such could not be the case to any extent. From this it appeared, that the window-tax was not, in any manner, instrumental to the fever in Ireland.

Sir John Newport said, that the window-tax affected the great body of the poorest part of the community in Ireland. He alluded to those who resided in lodging-houses in great cities and towns. He denied the statement of the right honourable gentle-

man, that the shutting up of windows under this tax had not had the effect of spreading more widely amongst the population of Ireland the fever which had proved so fatal. This he stated not on the authority of any ambiguous order, worded so as to prevent, not encourage, applications. He would appeal to the authority of all the medical men who had considered the subject, and who declared, that the shutting up of the windows had produced the most lamentable effects. Dr Barry of Cork had given evidence on this subject, which was perfectly conclusive. He had stated, that in the lower rooms of houses in that city, where the windows were not blocked up, the tenants were free from fever, while the upper rooms, where there was not a free circulation of air, were filled with contagion. If Ireland did not pay an equal share of public contributions, facts would easily prove this to be merely because burdens were laid upon her beyond her strength. In 1808, the revenue of Ireland amounted to 4,417,000*l*. Since that period, taxes were imposed on the suggestion of the finance minister, to the amount of 3,500,000*l*. What was the result? How much did the revenue of last year exceed that of 1808? It exceeded it in the sum of only 50,000*l*. Yes—taxes estimated to produce 3,500,000*l*. had really brought in only 50,000*l*! This was a decided proof of the inability of the country to pay. He should call the attention of the House to the increase of taxation since the Union. At that period, the window-tax was from one to four shillings per window: it was now from three to 1*l*. 4*s*. At the period of the Union there was no horse-tax; there was now a horse-tax of 2*l*. 17*s*. Tea, of the best kind, paid 7*d*. per lb., the worst 5*d*.—the tax was now 98 per cent *ad valorem*. The tax on wine had increased in the

proportion of five to two; and the revenue had decreased in the proportion of two to five. On an average, the taxes were more than doubled since the Union; and thus individuals, deprived of their comforts, were induced to become absentees. He strongly recommended to Parliament to lessen the taxation on Ireland at present, that she might be better able to bear it at a future period.

Mr Shaw's motion was supported by Sir Frederick Flood, Mr Grattan, Mr Calcraft, and some other members. Being put to the vote, it was negatived only by the small majority of 67 to 51.

On the 13th May, the Chancellor of the Exchequer laid open his plan for the mitigation of the Irish assessed taxes. He did not conceive that Parliament lay under any pledge for the repeal of the window-tax, nor that Ireland had any claim to that extent. At the same time, looking to the distressed situation of Ireland for the last three years, he thought it becoming the justice and liberality of Parliament to afford her some relief. Of the window-tax, accordingly, he was prepared to grant a reduction; and he would very shortly explain the nature of his proposition for that purpose—noticing also the principal alterations he proposed to introduce under other heads. But he must first state, that he had no intention of proposing any alteration in the hearth-tax. From the window-tax, which was necessarily felt to be very severe in its pressure, he proposed to make a reduction of 25 per cent, bringing it to what it had been before the last augmentation. Since which, he was obliged to allow there had been a continual falling off in the proceeds of the tax. That sprang, perhaps, from the general stagnation in business, which peculiarly affected Ireland—the feeling, in a much higher degree

than this country, the loss occasioned by the want of consumption consequent on the war. It might seem that an entirely new scheme was more advisable; but, considering the fate of that proposed by the gentleman at the head of the department in Ireland, he was led to believe that an abatement of the tax, as already existing, would give more general satisfaction. By the law, as it before stood, no house in Ireland having less than seven windows paid a duty. It was now moreover proposed, that in houses with more than that number, of which a great proportion was let in lodgings to poor people, 1s. a window only should be charged; but with the condition that this indulgence could be granted only in such cases where the windows were used not only for light, but also for the admission of air. Of late years great additions had been made to all the taxes on carriages, servants, and all the rest pressing more peculiarly on the higher orders. The laws imposing them had been looked upon as sumptuary laws, necessary for prohibiting imprudent show and ostentation. On each of these he now intended a great relief, in the hope that diminishing the duty on carriages would produce employment for the manufacturer; and that a general abatement in the taxes would operate as an inducement to gentlemen of property, now absentees, to reside at home. On all descriptions of carriages a great abatement of duty would be made, but more particularly on one class, which he might call the national one, jaunting cars. The duty on keeping that vehicle, which had been 6*l.* 10*s.* was now to be reduced to two guineas.

Sir H. Parnell considered the hearth-tax as the most exceptionable of all, on account of the odious right of search in the dwelling-house with which it was accompanied; but the

Chancellor of the Exchequer stated, the collecting-officer in Ireland could not enter into every room of a house in order to make a correct return, but was obliged to form an estimate upon a general view, the tenant being obliged to shew the contrary if he objected to it.

Sir John Newport afterwards moved, that the reduction of the window-tax should be 50, instead of 25, per cent. A debate of considerable length followed, in which Mr Peel, Mr Vesey Fitzgerald, Mr Leslie Forbes, Sir F. Burdett, Lord Castle-reagh, and other members, took part; but little new could now be advanced, either in point of fact or argument. The original motion was then carried, by 80 against 55.

The hardship of the additional leather tax imposed in 1812, having been the subject of numerous petitions, Lord Althorpe, on the 12th March, moved for leave to bring in a bill for its repeal. His motion, he said, was supported by more than a hundred petitions; and though all trades were ready to petition for what was beneficial to themselves, he was prepared to shew that the leather trade had remarkably declined, since the imposition of the new tax in 1812. During the five years previous to the additional duties being imposed, there were forty-five bankruptcies in the leather trade, making an average of nine in each year. Whereas in the five years immediately subsequent to that period, there were seventy-five bankruptcies, making fifteen in each year, and a surplus of thirty bankruptcies in the five years. In 1808 there were 1725 licences for the manufacturing of leather; in 1812 there were 1760; but in the course of five years after the additional tax, there was a reduction of 880 licences, which shewed that the additional duty was oppressive. Within the last half year, there

had been thrown out of the trade no less than 189 tanners, 338 tawers, forty-one oil-dressers, and twelve parchment-makers. He stated, that those yards which were still occupied were not in full work, and that the trade had declined equal to one-seventh, instead of having increased with the population of the country, as it had always done before the imposition of the double tax. The decrease of this trade, the noble Lord deduced also from the diminution of the import of foreign hides, which diminution was nearly equal to one-half the quantity imported in 1812. He was aware that the produce of the tax had rather advanced within the last year, but that advance was in fact the consequence of the increased quantity of leather disposed of in that year by those who were selling off their stock, in order to get out of the trade altogether. The whole produce of this tax did not exceed 200,000*l.*; and he recollected, that the tax objected to was imposed in war—that it was deemed a war tax, which was to cease upon the restoration of peace. But, was the sum which he had stated such as should reconcile the House to the hazard, if not the ruin, of a great branch of our manufacture? It was calculated that not less than 71,000 persons had been already deprived of employment by the depression of this trade, in consequence of the additional tax, and that the loss thus sustained in the resources of the country, exceeded one million and a half.

The Chancellor of the Exchequer would have no objection to a committee of inquiry into the state of the leather trade; but he begged leave to state, that it was by no means in the declining condition which had been represented. He would go back to the American war. For the four years after 1778, the average amount

of the leather tax was 204,000*l*. In the four years before 1791, it was 215,000*l*.; in the four years before 1812, it was 394,000*l*.; and in the last two years since the peace, it was 264,000*l*. It appeared from those statements, that the duty did not by any means impede the consumption of leather, as it appeared, that between 1791 and 1815, there was an increase of 50,000*l*. a year. Fifty-six of the seventy-five bankruptcies mentioned had taken place within the last two years and a half. That number deducted from the whole number, seventy-five, within the period mentioned, would leave a less average than the noble Lord had laid down for the five years before the tax. With respect to the number of licences, it was perhaps known that the peace of 1814 had disappointed several leather manufacturers, who reckoned on a continuation of the consumption occasioned by the war. Another ground mentioned in favour of the bill was the decrease in the importation of hides. But the noble Lord should recollect, that during the war England was the great market open to the continent of South America, and that the greater part of the continent was supplied by England with the hides which came from that country. But now that peace was restored, England shared that market with other countries. The leather trade had not only increased, but was still increasing, as well in consumption as in price. In March 1817, sole leather was from 15*d*. to 17*d*. per lb.; and in March 1818, it was sold at from 18*d*. to 21*d*. per lb. The number of steam engines employed in it had increased from one to five. The trade in oil-dressed leather, upon which no additional tax had been imposed, had decreased much more than any other branch, having fallen off from 133,000*l*. to 40 or 50,000*l*. He

did not wish to treat the petitioners with neglect, but proposed to refer them to a committee, though he must let the House into the secret of why they were so very numerous. A letter had come into his possession, which had been addressed as a circular to all persons concerned in the trade. It was as follows: "It is necessary that you should send as many petitions as possible to Parliament against the additional duty on leather, before Thursday the 12th of March. Every exertion ought to be used, both by applying to members, and by every other means, as the present very favourable opportunity is not to be neglected." He begged the House to consider calmly what would be the result of repealing duty after duty, on the complaints of petitioners. There were at present petitions on the table praying the repeal of duties and taxes to the amount of three millions and a half, without including the English window tax, which would probably share the fate of the Irish window tax, if the latter were repealed. If the entire of the taxes were to be repealed in that way, what was to be done? If they were to continue repealing the taxes which were necessary to the country, they would in a short time have no other alternative left but disgrace and bankruptcy on the one hand, or the imposition of the property tax on the other.

Lord Castlereagh could not avoid saying a few words on this question, which appeared to him to involve most important consequences; there might, upon every subject of taxation, be such warm appeals made to the feelings of the House, as, if effectual, would soon leave the country without any revenue. He hoped the House would pause and consider the subject seriously before they adopted the motion. He trusted that, out of any false or mistaken feel-



of humanity, they would not do an act which would tend to destroy the revenue of the country. Although there might have been a diminution of the demand for leather, yet late returns shewed the trade to be reviving. From a comparison of the quantity of leather exported for the five years before the increased duty, with that which had been exported in the same period after it, the account was entirely in favour of the latter period. For the former five years, the quantity exported was 5,603,395 pounds weight, and that in latter years, including the year 1817, it amounted to 10,710,073 pounds. This proved the increase of the trade; but if the number of the manufacturers was diminished, it was to be attributed to the cause he had before stated, the effects of great capital being embarked in the business.

Mr Brougham said, there had already been two committees appointed without any valuable result; and he was convinced that the issue of the one now proposed would be the same. If there was no evidence before the House,—if they were quite in the dark upon a subject, and wished to get information by means of a committee—then ministers said, “no committee—do not inquire;” but when there was evidence before the House—when the information derived from former committees was in black and white upon their journals—then the cry was “a committee— inquire.” He saw no necessity for any inquiry in the present case. The thing was quite clear, and no additional evidence was necessary to have it understood. This tax was one upon a common necessary of life, and he conceived its imposition highly impolitic. It was one of those arithmetical blunders in which the appearance of immediate increase was adopted, though it led to a certain ulti-

mate loss to the revenue. The effects of this tax were severely felt by all persons who were great employers; but as government was the greatest employer, so it fell with particular force upon them, and what they imagined they gained in one way, they lost in another. After a debate of some length, Lord Althorpe’s motion was carried against ministers by a majority of ninety-four against eighty-four. Leave was therefore given to him and Mr Brougham to bring in the bill.

Ministers, though thus defeated in the opening of the measure, determined to make another stand against a proceeding which appeared to afford a dangerous precedent. On the 6th April, at the second reading of the bill, Mr C. Grant moved, that it should be read a second time this day six months, that is, not at all. After a warm debate, consisting chiefly in the repetition of former arguments, Mr Grant’s motion was carried by the narrow majority of 136 against 130. The measure was thus lost in the present session.

Salt, both as a necessary of life, and a material in the most important productions of industry, is perhaps the most improper of all the subjects on which taxation is imposed. When used, indeed, in agriculture or the fisheries, it is allowed either duty free, or at a reduced rate; but the arrangements for keeping this favoured salt distinct from that which pays duty, subjects the dealer to much inconvenience, and affords ample room for fraud and evasion. These circumstances had drawn the particular attention of Mr Calcraft, who was unwearied in his efforts, either to obtain a repeal of this duty, or to remove the grievances with which its collection was attended. In bringing it forward, on the 10th March, he stated that it was unnecessary to

trouble the House by making a motion, as in a conversation which he had held with the Chancellor of the Exchequer, it was agreed that a select committee of twenty-one members should be appointed to take the subject into consideration. The Chancellor of the Exchequer, however, besought Mr Calcraft to recollect the large revenue which arose from this source, and the present state of the finances; to which Mr Calcraft re-

plied, that he certainly would not think of doing away with a revenue of a million and a half, without finding a substitute. On the 22d May, Mr Calcraft reported, that the only specific measure which the committee was prepared to recommend during the present session, was the reduction of the duty on rock salt, employed for the purposes of agriculture from 10*l.* to 5*l.* per ton.

## CHAPTER IV.

## THE BANK RESTRICTION.

*State of the Bank's Affairs.—Discussion by Mr Grenfell.—Motion by Lord Lauderdale—by Lord A. Hamilton—by Mr Tierney.—Chancellor of the Exchequer proposes the Continuance of the Bank Restriction.—Committee of Inquiry moved by Lord Lauderdale—by Mr Tierney.—Restriction Bill passed.*

THE chief subject connected with political economy, which occupied the attention of the public during the present session, was the restriction upon the Bank from paying, or more properly speaking, the permission not to pay notes in gold and silver. Ever since the first adoption of this measure in 1797, it had been the subject of frequent and prolonged parliamentary discussion. The striking difference in value between the metallic and paper currency, with the serious and prominent effects thence arising, necessarily drew the attention of all practical statesmen, while the abstruse and complicated circumstances on which it depended, left room for the utmost variety of opinions. By those who considered the restriction as necessary, it was represented that the extensive remittances made to the continent, either for loans, or for the support of armies, produced an extraordinary demand for gold and silver, which is much the most convenient shape in which such remittances could be effected. The value of these metals was thus raised

above what it bore as the coin of the realm. There arose, therefore, a boundless demand upon the Bank for payments in specie, not in consequence of any doubt of its credit, but in order to melt down that specie and obtain the higher price which it brought as bullion. It was impossible for the Bank to supply this indefinite demand without at least entirely running itself, since it was obliged to buy gold at the high price and issue it at the low price. On the other hand, the adversaries of the Bank and of ministry contended that the great difference of value between bullion and currency arose from the restriction itself; that the bank paper, become the standard currency of the country, was necessarily depreciated in consequence of not being exchangeable for specie; and that, in order to equalize the value between bullion and currency, nothing was wanting but that the Bank should begin to pay in gold and silver.

It is not now incumbent on us to enter into those abstruse discussions, which would be necessary to form a

judgment on this intricate subject. The former opinion certainly seems much favoured by the fact, that on the conclusion of peace, and the cessation of foreign remittances, the price of gold fell immediately to its ordinary level. Now, however, when the grand cause urged in favour of the restriction had ceased, all parties agreed in considering it desirable that the circulation of the country should be restored as soon as possible to its natural and healthful state. This could never take place till the Bank paid in specie the notes which it issued, which were mere promissory notes, and derived their whole value from the belief of their being convertible into cash. When, however, the demand was made that payments in specie should be resumed, ministers and the Bank urged that some time ought to be allowed to that body to collect a quantity of gold sufficient to meet a crisis, which, after such a long suspension, might be considered as serious and important. On this principle, in 1816, the resumption of cash payments was delayed for two years, and fixed for the 1st of July in the present year. At this period considerable agitation prevailed, especially as rumours began to circulate that a farther delay was contemplated by ministers and the Bank. In these circumstances, the members who took the lead against the system supported by government, determined to press the question, with the view of putting an end to the public perplexity, and of opposing with all their influence the delay, if it was really projected.

The discussion was opened by Mr Grenfell, who had always taken a prominent part in urging the Bank to resume their payments in cash. On the 29th January he put a direct question to the Chancellor of the Exchequer. After the promises and the declaration, so often renewed by the govern-

ment and the Bank, it was natural to suppose, that no doubt or uncertainty, would prevail in any quarter, as to the probability of cash payments being actually resumed when that period should arrive. Very considerable doubt did nevertheless exist in the public mind upon this subject, and more especially among the class of society which was frequently described as the moneyed interest. It was desirable that this uncertainty should not continue one moment after his Majesty's ministers had it in their power to remove it. No honourable member, who had a practical knowledge of what was now daily passing in the city, could be ignorant of the very large transactions and speculations of a gambling nature that were entered into, and depended upon the result of this contingency. It was obvious that, in such a course of adventure, those who had the means of making themselves acquainted with the real intentions of his Majesty's ministers, must possess a material advantage over those who were not in the secret. For these different reasons, he hoped he should not be considered as making an extraordinary request on behalf of the public, when he desired to know whether any event had occurred, or was expected to occur, which, in its consequences, would prevent the resumption of cash payments on the 5th of July next. He wished also to inquire about two loans made by the bank to government, one of six millions, at 4 per cent, and another of three millions without interest. Till these were replaced, it was of course impossible for the Bank to commence its payments in specie.

The Chancellor of the Exchequer was enabled to say, that the Bank had made ample preparation for resuming its payments in cash at the time fixed by Parliament, and that he knew of nothing in the internal state of the country, or in its political relations

with foreign powers, which would render it expedient to continue the restriction; but that there was reason to believe that pecuniary arrangements of foreign powers were going on, of such a nature and extent, as might probably make it necessary for Parliament to continue the restriction, so long as the immediate effects of those arrangements were in operation. As to the loan of six millions from the Bank, at 4 per cent interest, he should, ere long, have to submit a proposition to the House for the payment of that debt; but with respect to the three millions without interest, which, for obvious reasons, was rather to be regarded as a gift than as a loan, he rather thought that neither the House nor the honourable gentleman himself, would be reconciled to any proposition for depriving the public of such an important accommodation.

Mr Tierney was extremely perplexed by the reply of the right honourable gentleman, which appeared to him rather calculated to encourage than to remove doubt. It would perhaps have been better if the right honourable gentleman had declined to give any answer, than to have offered one so unsatisfactory and indefinite. For according to the right honourable gentleman, so far as he was intelligible, the object alluded to by his honourable friend, depended upon the measures of foreign powers. So, in order to decide upon the question, whether the Bank was likely to resume its cash payments in July, or whether the restriction was to continue, we must look to the foreign marts: thus the wind, or a change in the moon, might serve to throw the country into a state of doubt upon this important question. The House and the country were still in the dark; and the fact was, that the right honourable gentleman holding the office of Chancel-

lor of the Exchequer, had not himself any one distinct idea upon the subject.

This movement in the House of Commons was immediately followed up by Lord Lauderdale in the Upper House, where he began by moving a return of the weekly amount of notes in circulation during the last three years. He and Lord King, alluding to what had passed in another house, trusted that Parliament would not agree to a renewal of the restriction without the most rigorous investigation. Lord Liverpool made a statement similar to that made by the Chancellor of the Exchequer in the Lower House. The amount was ordered, but the Lords on the opposite side expressed their entire dissatisfaction with this announced intention of ministers.

On the 4th March, Lord A. Hamilton moved for a copy of the notices issued by the directors of the Bank, respecting partial payments of their notes in specie, and of the amount paid in pursuance of these notices. His Lordship very clearly intimated his conviction, that the expectations thus held out were quite illusory. The Chancellor of the Exchequer deprecated any interference with the Bank, which could only fetter that body, in its efforts to attain the object in view; at the same time expressing his full conviction of the honourable and public spirited course held by the directors in their dealings with the public. After some observations from Mr Grenfell, the House divided, when the motion was negatived by 34 against 11.

Immediately after the decision of Lord A. Hamilton's motion, Mr Tierney moved for the weekly issues of notes from the Bank in the month ended 3d March. He insisted, that if the Bank were sincere in their intention to resume cash payments, a reduction in the amount of their put-

standing notes was an indispensable preparation. Instead of this, they were following the very opposite course. There were on the table of the House the amounts of issues for the eighteen months, from July 1816, to December 1817; and, from these it appeared, that the issues in the first six months of that period amounted to 26,300,000*l.*; in the second to 27,400,000*l.*; and in the last, that was to December 1817, to 29,000,256*l.* Thus it was evident, that if the Bank, in place of preparing for the resumption of their payments in cash, at the time specified by law, had determined to multiply impediments to such a result, they could not have more dexterously managed to effect the latter object than by the conduct they were pursuing. The Chancellor agreed to the production of the papers, and to the general principle that the Bank ought to diminish its issues before the resumption of cash payments, but declined entering into any consideration of the general question.

Nothing further passed on the subject till the 9th of April, when it was introduced to the full consideration of the House, by the Chancellor of the Exchequer moving, that it should resolve itself into a committee on the Bank Restriction Act, and on an act for the regulation of country bank notes. The minister now fully laid open the motives which induced him to propose the continuance of the restriction for another year. The committee would recollect that, prior to the retreat of the French army from Russia, at the close of the year 1812, the price of gold bullion was 5*l.* 12*s.* an ounce, and of silver dollars 6*s.* 6*d.* an ounce. At that time, therefore, any attempt to restore the metallic currency of the country would have been utterly unavailing, as the coin would have been collected and melted as fast as it issued from the coffers of the Bank. But when

the French army retired into Germany and was beaten there, and when a prospect arose of a successful termination of the war, gold fell to 5*l.* an ounce; and subsequently, when the allies got possession of Paris, to 4*l.* 6*s.* 6*d.*, and there was every indication of its speedily falling to so low a rate as to enable the Bank to resume their payments in cash. The unfortunate events, however, which took place in the spring of 1815, and which were too notorious to render it necessary for him to particularize them, and which again involved Europe in the calamities of war, prevented this pleasing prospect from being realised. After the return of Buonaparte to France, in March, 1815, gold rose from 4*l.* 6*s.* 6*d.* to 5*l.* 7*s.* an ounce. It was obvious that, as long as a state of hostility continued, any attempt at a resumption of cash payments would, for the reasons that had operated in preceding cases, prove wholly futile. From the period, however, at which hostilities ceased, it was but justice to the Bank to state, that they had adopted every measure of precaution which might enable them to resume cash payments with safety. Their collection of specie had been very rapid and to a large amount; indeed, to an extent beyond what he should have supposed possible in so short a space of time. Another preparatory measure of the Bank was an experiment which was first tried by them in January 1817. They declared themselves ready to pay in cash a certain description of their notes, the whole amount of which was about a million. Scarcely any demand, however, was made upon them; and the price of gold was then such, that the same would probably have been the case if they had returned generally to cash payments. A different result followed when, in October last, it was announced, that the Bank would be ready to pay cash for their notes of

every description, dated prior to January 1st, 1817. Payment in cash was demanded to a large amount; not for the purpose of internal circulation (for thus he hardly apprehended was the opinion of any person), but for the purpose of being remitted to foreign countries. To the causes which produced that situation of things he should presently advert. It appeared, from a return made to the other House of Parliament, that the Bank issued under their last notice a sum not less than 2,600,000*l*. Of that large sum hardly any part remained in circulation in this country. The circumstances which appeared to him to have occasioned this difference, were the deficiency of the two last harvests, which had occasioned a great drain of money for the importation of corn, and the number of English emigrants residing on the continent. The whole number of persons, who, from the year 1814 to the 24th of February last, had embarked at Dover for the continent, amounted to 90,230; exclusively of aliens, whose number amounted to somewhat above 11,000. The number of English, who, during the same period, had returned to Dover, amounted to 77,530. The difference between the two numbers which he had stated was 12,700; so that it might be safely affirmed that the number of English residing abroad did not exceed 13,000. If it were assumed that these 13,000 individuals expended on the average 200*l*. a-year each (which as a number of them were servants, might be deemed a sufficiently high estimate) the amount of their annual expenditure would be somewhat above two millions and a half. But, in addition to that, the committee must take into their account the large sum expended by our army abroad; for although it was true that the French government provided for the support of the troops, still it was notorious that great private expense was incurred

by the officers. These circumstances, however, though well worthy of consideration, were of less importance than the large loans negotiated by France in this country. In June, 1816, it obtained one of about five millions sterling. In 1817, successive loans took place, to the amount of between 13 and 14 millions; and, another of 12 millions was contracted for during the present. But there were negotiations now on foot, which might produce a demand for a much larger loan. Should the allied armies evacuate France during the present year, the French government must liquidate all the claims of the allied powers against it, for which purpose, it must require a loan of not less than twenty millions sterling. Nothing, he believed, could be farther from the wish of the individuals who made these loans, than to do any injury to their country. The consequence, however, was the recurrence on a greater scale of the same circumstances, which had rendered necessary the first restriction. This took place chiefly in consequence of the extent of the Austrian loan in 1795. Nothing could be stronger than the expressions used by the Bank on that occasion. When in 1796, another loan was contemplated, they resolved, "That if any farther loan or advance of money to the Emperor, or to any other foreign state, should in the present state of affairs take place, it will, in all probability, prove fatal to the Bank of England; and they, therefore, most earnestly deprecate the adoption of any such measure, and solemnly protest against any responsibility for the calamitous consequences that may follow therefrom." Yet this contemplated loan amounted only to three millions, and it was stopped in consequence of the remonstrances of the Bank. At present, besides the thirty millions which had been required for France, five millions had been raised for Prus-

sia. Although, therefore, he certainly did not wish our circulation to depend on the operations of foreign powers, the present appeared to him a most inexpedient time to create a drain on our resources.

The next proposal of the minister consisted in a plan for the security of country banks, the extensive failures of which had been productive of much distress throughout the country. It was his wish that the restriction should cease on the 1st July, 1819, and that this plan should begin to operate a year after. The object was, that no Bank should issue notes without some property to answer for the payment. Land, from the difficulty of its conveyance, and of raising money upon it, was ill suited for such a purpose. Funded property appeared to be free from those objections, Scotland, from the nature of its currency, and the extent of the capital of the persons engaged in banking (which in that part of the kingdom were not subject to the same restrictions in point of number, which existed in England under the charter of the Bank), had had no considerable failures, and enjoyed great advantages in the security of her paper circulation. No inconveniences could be charged against it. In England, however, and still more in Ireland, that was not the case. It was his intention to propose, that after the 5th of July, 1820, no private banker should issue notes in England or Ireland (for he would except Scotland, as the objection against the paper circulation of the private bankers of England and Ireland did not apply to Scotland) for any sum under five pounds without having made a sufficient deposit of government securities, consisting either of stock or of exchequer bills. He proposed, therefore, that it should be enacted, that every private banker should transfer into the names of the commissioners for the reduction of

the national debt, an amount of stock double that of the nominal value of the notes of that description issued by them, or should deposit in the hands of the commissioners exchequer bills of equal value to that issue. The cause of the difference which he recommended in this respect was, that from the frequent fluctuation in the price of stock, the nominal value of the notes in stock might turn out to be a very inadequate security. The interest arising on the stock transferred, or on the exchequer bills deposited, would of course be paid to the owners after the deduction of charges for management. With respect to the notes to be issued on this credit, he meant to propose, that before they could be so issued they should be carried to the stamp-office, and stamped in a way that should denote they were so secured. Some farther collateral security against fraud or forgery, might perhaps be deemed expedient; but that would be a matter for future consideration. This plan did not appear to him to impose any serious hardship on the private banker. He would be left without restraint in all issues of notes beyond five pounds in value. He would have all that parliament thought it proper he should have before the passing of the Bank Restriction Act. Nothing would be taken from him to which he could be considered as having a well-founded claim. There would still, therefore, be left to him a very sufficient profit. Many private bankers were already stockholders to a very large amount. In their case, where would be the inconvenience of depositing in the hands of the commissioners a certain portion of that stock? The only difference was, that the amount deposited would be available only to the holder of the notes secured upon it, instead of being available to their creditors in general. But the safety which those among whom the notes were circulated would



receive, would far outweigh any inconvenience to the private banker. Strictly speaking, a banker at present had hardly occasion for any capital. But one consequence of the proposed plan would be, that it would have a tendency to engage men of large property in banking concerns, and to exclude those who did not possess an invariable security for their creditors. They were placed here in an option of difficulties. No man would say that they ought to prohibit the circulation of all paper under five pounds in value. A metallic currency was so cumbersome for mercantile dealings, that we could never conveniently return wholly to it. The question, therefore, was, whether, as it might not be desirable to return to a metallic currency, but as it was desirable to have a paper as near in value to a metallic currency as possible, we would allow an issue of paper without such a deposit as might secure the creditor against the danger of improvident speculation on the part of the banker, and the banker himself against the temptation to it?

Mr Tierney said, the statements of the right hon. gentleman were clear enough, but to him far from convincing. As to the plan with regard to the country bankers, he could not yet trust his judgment so far as to offer an opinion upon it. At all events, it would throw a great hardship upon the private bankers. In the first place, their character would, after this proposal, stand tainted for the next two years. What could be the use of proposing the bill at present? The only motive he could see was, to put men upon their guard against the country bankers. He was no friend to an extended issue of their paper. They had, however, been of great service to the public; and however desirous he might be to confine their circulation within proper bounds, he would not wish to bring odium upon them in this manner, or to hold them up as persons

not to be trusted. He had read all the plans which had been suggested for some years. This was one of them, and a very hopeful one it was. There was an observation which he could not help making upon the subject. It was, that, according to this measure, the five-pound notes were to rest entirely as before, upon the personal security of the banker and his individual credit. In such a state of things would any man be such a fool as to take five-pound notes at all from a private banker, while he could get one-pound notes with good security? No person in his senses would do it. He would ask, why was the measure proposed two years before it was to take effect? Here was a new principle, which, for some reason or other, the Chancellor of the Exchequer wished them to admit two years before it was acted upon. He would beg the House not to adopt such a principle upon the mere visionary expectations of what was to be the state of things two years hence. He did not fully understand the bearing of the thing. There was perhaps no man in the House who did. For this reason committees would be necessary, and if no other person in the House moved for it, he would. As to the Bank Restriction, the right honourable gentleman had pretended the greatest reluctance to propose its continuance, and had represented himself as only overcome by the strong necessity of the times. The right honourable gentleman, one or two sessions back, had said that he did not entertain the smallest doubt that the Bank would be able to resume their cash payments in July next. If the right honourable gentleman expected really that they would be resumed, he could assure him that he was the only person who entertained any such hope. The right honourable gentleman told them that the directors were fully prepared and willing to pay in cash, and that the restriction

would only continue for one year more. The right honourable gentleman must forgive him if he did not believe one word of it. When July 1819 arrived, it would be then said, that they might as well continue the restriction for another year—that it would throw every thing into confusion to resume cash payments until the other fine plan began to operate. In this manner, for one year, and for many other years, would the Bank Restriction be continued. It was said, that the Bank had done every thing in their power to prepare themselves for the resumption of cash payments at the time provided by Parliament. Quite the contrary. They had done every thing in their power to avoid it by increasing their notes in circulation. They were allowed two years to make provision for this event, but in place of doing so, they had augmented their issues by two millions and a half. Here was the mutual accommodation; the Bank by purchasing government securities, raised the price of them, and enabled the Chancellor of the Exchequer to make flourishing speeches; and while he was making flourishing speeches, they were making flourishing profits. The whole secret lay in the transactions between the Bank directors and the right honourable gentleman, who knew very well that the former were his masters. "I," said Mr Tierney, "told him so two years ago; and I may use the words of the poet—I thought so then, and now I know it." [A laugh]. Without the Bank advances and dealings with the right honourable gentleman, half his bubbles would have burst while he was blowing them up.—He trusted that a committee would be appointed to inquire into the reasons for continuing the restriction in a manner so suspicious, that it seemed as if it had been determined to continue it for ever.

Mr Grenfell entirely concurred in

the observations of Mr Tierney. He treated with contempt all the reasons which had been assigned for the continuance of the restriction, particularly that derived from the foreign loans. If a wealthy German merchant happened to settle in this country, and contract for a Prussian loan—and a rich English merchant should go over to Paris, and treat for a French loan, was it to be borne, that for such a reason incalculable mischiefs should be endured by a whole people?

After a short reply from the Chancellor of the Exchequer, leave was given to bring in the two bills.

These proceedings in the House of Commons determined Lord Lauderdale, who had always paid particular attention to this branch of political economy, to introduce the subject before the Lords. On the 20th of April, he moved the appointment of a committee to inquire into the state of the currency. He never was more surprised than when he heard foreign loans stated as the reason for continuing the restriction. He should, however, show that this was a mere pretext, and that the only reason was the internal situation of the country, created as it was by the measures of ministers. But here he could not help asking their Lordships to consider in what situation this country was placed, when this great question—one of the most important which a legislature could be called upon to decide—was no longer to be left to the judgment of Parliament, but was made to depend upon the caprice of foreign powers? Was it to be henceforth a maxim, that when the Emperor of Austria, the King of Prussia, or the Legislative Assemblies of France, chose to undertake certain financial operations, the Bank of England must suspend payments in cash? It appeared, by the examination of the Bank Directors, that the gold transmitted to Austria, in consequence of

the loan of 1795, did not exceed 500,000*l*. In the years when the loans to that power took place, the exports to Germany amounted to 8,000,000*l*. though usually they did not exceed 1,900,000*l*. It appeared also, that these exports equalled all those that were in the same time made to France, Flanders, and Holland. Thus it was evident, that if their Lordships considered what had been the effect of the loans and subsidies of 1794 and 1795, they would find that the remittances had been made almost entirely in goods, and not in bullion. If their Lordships wished to know what had been the real cause of the restriction, they had only to look at the evidence of Mr. Giles and Mr. Bosanquet. These gentlemen distinctly stated, that if all the advances made by the Bank to government had been repaid, there would have been no occasion whatever to have resorted to that measure. There was a meeting at the Bank in October, in which the state of the advances to government was taken into consideration. The advances to government had amounted to 11,260,000*l*. but they were then found to be reduced to 4,278,000*l*.; so that the Bank, in the expectation of being obliged to pay their notes in cash, had compelled government, so early as the month of October, 1797, to pay up about seven millions. Thus, then, there was the most full and convincing evidence, that the state of the advances made by the Bank to government in 1797. was the only obstacle to their continuing payments in cash. His (Lord Lauderdale's) object was to see whether the Bank issues were conducted in that salutary manner as to enable them at any time to be called in in six weeks. But he believed that the Bank had not sufficient left in their coffers to effect such an operation. What with the twenty-nine millions of paper that had been issued and was in circulation, and what with the loans to government

in addition, was there any body who did not think that the coin requisite for resuming cash-payments must be more than double the amount of the eleven millions that had been so confidently stated as the sum? And yet, according to the noble Lord, the Bank was perfectly ready to pay! the government was anxious that payments should be resumed! but, on his conscience, he believed that those payments were at a greater distance than ever; that the whole business was a complete juggle between the Bank and the government, and that the country was completely their dupe. His Lordship proceeded next to consider the plan for the regulation of country Banks. He begged to be allowed to say, that this scheme was contrary to the whole spirit of the commercial laws of this country: those laws required no other security than the promise to pay, and the power to demand the fulfilment of that promise. This country was the most opulent in Europe, and had gradually risen, through the whole of the last century, to its present state of prosperity, by means of banks of credit. Consult authors of any credit on the subject, and they would tell you why monetary banks of deposit were not so good as banks of credit. Our system was founded, and had risen to eminence, entirely on credit: when honour, probity, and regularity, were the foundation of credit, it was altogether inexhaustible; because, in proportion as extended commerce created an extended demand, the state of credit increased along with it; and if commerce slackened, credit declined proportionably; but, under the system of banks of deposit, credit always failed most when there was the greatest demand for it. Credit depended on confidence; and if there was a stigma, how could there be any confidence? The effect of the plan was only to make the country bankers a

sacrifice to the Bank of England—the favoured Bank of England. He asked how it could be said, that the state of the circulation did not call for inquiry, when the Bank, having announced their determination to pay in cash all the small notes issued prior to 1st January 1817, those notes were now at a premium of 2 per cent, and the two millions and a half issued in paying them had vanished from circulation, and, doubtless, out of the country. What was the nature of the paper circulation, which it was intended that we should have? It was intended that we should have four descriptions of paper. A Bank of England paper, for which the Directors of the Bank had made themselves liable to pay cash on demand. A Bank of England paper, not liable to be paid on demand. A paper circulating on the security of deposits of stock and exchequer bills; and a paper circulating without any security. Such a circulation as this was reserved for the noble Lord and his colleagues to invent. His Lordship censured the having two metals as a standard, and the preference given to gold above silver. This had been attempted to be justified on the ground of the magnitude of the transactions of this country. But the reasoning of the noble Lord was not less absurd, than if he had said, that because we were the greatest manufacturing country in Europe, it was necessary that we should have a yard extended beyond that of other nations, in proportion to the quantity of our manufactures. It might be proper to consider what was the situation of our metallic currency. We had a gold coin entirely without a seigniorage—a silver coin, for the first time for centuries, with a seigniorage.—We had, till the 5th July, a silver currency at 6s. 8d. the ounce; and we had in Ireland a silver currency at 7s. 3d. an ounce. Our paper circulation could

never be payable on demand, nor in a salutary state, while our coinage remained on this footing.

The Earl of Liverpool entirely agreed with the noble Earl in considering it desirable that this country should have a paper circulation, measured by the precious metals as its standard, and convertible into cash at the pleasure of the holder. There was not a man in the kingdom more anxious than he was to see a return to cash-payments as speedily as possible; and if he had come to the conclusion, that it would be detrimental to the interests of the country that the restrictions on the Bank should be immediately removed, he could assure their Lordships that he had adopted that conclusion after the most mature deliberation, from a review of the particular circumstances that characterized the present times, and with the deepest regret. With regard to making gold the standard of metallic currency, this did not originate with ministers. Gold had become, in fact, and in practice, the standard metal before it was declared so in law. It had risen into this state imperceptibly, before an act of the legislature had sanctioned the practice, and made it the only legal tender for all sums above 25*l*. In addition to the inference in favour of that metal drawn from general consent and practice, it might be stated that the expediency of making it the legal standard measure of value for other metals was supported by the circumstance, that it was less liable to fluctuation. With regard to the regulation of country banks, he considered some security indispensable; and even among those who objected most strongly to the present plan, he never met with any who did not think some check was necessary. At present, country banks might issue 1*l*. or 2*l*. notes to any amount, on any security; but when the restriction expired, they would be authorized to

issue none under 5*l.*, unless some special regulation were made. It seemed universally agreed that this limitation to 5*l.* and upwards would be now inexpedient. Were we then to repeal the act, and allow issues of one and two pound notes on any security, or without security at all? Let the House consider the history of the currency of country banks for the last three years, and the calamities that had arisen from bank speculations. Out of 700 country banks that existed in 1814, 200 had now been swept away, and had disappeared, to the ruin of individuals and whole districts, and to the general injury of the agricultural and commercial interests. It was to be observed, that while the great crash to which he alluded was experienced in England, not one, he believed, or perhaps only one bankruptcy had taken place among the country banks in Scotland. This formed an important consideration. Perhaps it was to be partially attributed to that clause in the charter of the national Bank, which provided that no number beyond six should join in a country Bank. To Scotland, therefore, the act was not meant to extend. To the plan proposed he had heard only one important objection, and that appeared to him to admit of an easy answer. The objection was this, that if notes of one or two pounds only were issued on security, the credit of notes of a higher denomination would be injured, as they did not possess the same security. In opposition to this prediction, he would say, that so far from the deposit of securities for small notes being injurious to the credit of notes of a greater amount, the very deposit of such securities for the former would give the latter additional credit. This opinion would be confirmed, if it were considered that double the nominal amount in stocks must be deposited for the small notes, which, at the usual price of the public funds,

would afford to the holders of the five pound notes a balance for the payment of the latter. But, without laying much stress on this argument, he would say that the holders of large notes would not be in a worse situation than they were before small notes were allowed to be issued at all; and as they then took on credit, for their own convenience, large notes in preference to gold, there was no reason why they should not afterwards, for the same convenience, take them in preference to small notes. Why did people take notes at all, when they might have guineas or sovereigns, but because the former, when great sums were concerned, were more easily carried, and had other conveniences. He repeated, that the proposed continuance of the restriction arose from nothing either in the internal state of the country or its foreign relations, but from circumstances arising out of the pecuniary transactions of other countries. He knew, too, and he could assure the House, that the Bank had made most ample preparations to resume cash payments, and that they were ready to do so. The noble lord doubted this fact, and had given as a reason of their inability, the advances they had made to the government. He both denied the fact and the cause. The Bank might have returned to cash payments last year, when all the advances they had made to government remained unpaid. If, however, any thing had happened after this to disturb public credit, the Bank would have said, we must draw in our advances. The government was ready to pay up what it owed them, and, therefore, the advances made to government could no longer be an obstacle to the resumption of cash payments.

The Marquis of Lansdowne spoke in support of Lord Lauderdale's motion, and was answered by the Earl

of Harrowby and Lord Sidmouth; Lord Lauderdale then, after a short reply, allowed his motion to be negatived without a division.

On the 1st May, Mr Tierney re-deemed his pledge, by proposing in the House of Commons a committee of inquiry on the Bank Restriction. In the long and able speech which he made on this subject, he necessarily went over many of his former arguments. He insisted now that if the loan to France was really to be paid in gold, it was the Bank that ought to furnish it. Unless there was something in the air of this country repulsive of that metal, if gold went out gold would come back. This was therefore an additional ground for the resumption of cash payments by the Bank of England. Let the Bank of England send out large quantities of gold from their coffers; that would alter the rate of exchange. The Bank would have no difficulty in purchasing gold to replenish their coffers, though certainly at some loss. But the question for the House to determine was, which was best—that Great Britain should lose the character for good faith which she had hitherto maintained, or that the Bank should be compelled to disgorge a part of the enormous profits which it had made from the country at large? Was it more desirable that the public credit should be preserved, or that the Bank, having accumulated millions upon millions, without having contributed in the smallest degree to the national expenditure, should be enabled to persevere in that system? Supposing that the Bank had ten millions of gold in their coffers; if it were all to go, and if they were to repurchase it at a sacrifice probably of five per cent, that would be on the whole a loss of half a million. And what of that? The Bank had made twenty-one millions

by the country; and was the country now to be told that its whole commercial system was to remain in an injurious and unnatural state, because the Bank would not relinquish the smallest portion of their profits? With a view to persuade the House of the expediency of inquiry, he would urge the little probability, if they agreed without any inquiry to pass the right honourable gentleman's bill, that the Bank would ever resume cash payments. If the restriction were not at once rendered permanent, it would at least be continued from year to year.

One of the principal evils of the present system was, that there was nothing secure and solid in it. No man knew what was to come next. He was convinced that the fluctuation of the funds during the last eight or nine months arose chiefly from the uncertainty whether or not the Bank restriction would be continued. It would be better to say at once that the restriction should be permanent, than to go on year after year extending it; because, whenever it was extended for a year, after the first six months of that year, a variety of rumours got abroad as to the probability or improbability of the resumption's being insisted on at the end of the year, and numerous opportunities were thus afforded for gambling and speculating. Among the chief speculators he must say, although he by no means wished to say it offensively, he could not help ranking the right honourable the Chancellor of the Exchequer. The speculation of the right honourable gentleman was, whether or not he could keep the existing circulating medium of the country up to that point to which it had attained by the continuance of the restriction on the payment of cash by the Bank of England. For that the right honourable gentleman lived; he dreamt

of nothing else ; for on so keeping up the circulation depended the whole of his financial arrangements.

With regard to the bill respecting the country bank paper, it had excited a just alarm in the mind of every man in the kingdom. The effect of it, had it been adopted, would have been to drive a great many of the country bankers out of their business. For his part, he believed the country bank paper, generally speaking, to be a sound and useful currency. Nothing could be more objectionable than the purpose of the bill to which he alluded, namely, to prevent a man from using his own credit in his own way. A security was required which there existed no right to require. Parliament had a right to prohibit the bankers from issuing one and two pound notes, if it was thought that their circulation was detrimental to the general interest ; but Parliament had no right to exact any security for the payment of such notes. The number of failures among country banks had been exaggerated, and last year there was rather a diminution. A number of licences had been given up, merely from the large Banks withdrawing some of their subordinate branches. He suspected that bankers in London, during the same period, had failed for as large a sum as all the country bankers put together. Mr Tierney then charged the Chancellor of the Exchequer with a plan to issue government paper, from which, indeed, these notes, on government security, and with the government stamp, appeared to him little to differ. It was natural enough for government to say, "As we can circulate the paper of other people, why not circulate our own? why can we not do this as well as the Bank of England?" The right honourable gentleman shook his head ; but then the right honourable gentleman had two ways of shaking his head—one was when he

thought he could silence an opponent by shaking it, the other when he despaired of being able to carry a favourite measure. Mr Tierney finally told the House, if they voted as the Chancellor of the Exchequer wished them to vote, there would be an end, and there ought to be an end, to the character of the country. It was that which was at stake. All principle would be set at naught by such an acquiescence, which would merely shew the disposition of the House to bow to ministers, and to accede to any proposition without inquiry, however pregnant with unfair and dishonourable consequences.

The Chancellor of the Exchequer did not see the necessity of an inquiry to enable the House to decide a question, which turned chiefly on simple and obvious facts, of which the House was as completely in possession as the committee could be. The right honourable gentleman had stated, that the committee would have to consider, not the internal situation of the Bank, but whether any internal inconvenience would be produced by the resumption of cash payments. But he (the Chancellor of the Exchequer) thought a committee ought to take the counter-part of this proposition, and ask what internal inconvenience could result from the continuation of the restrictions for another year. As to determining the proper time for resuming cash payments, the House, after the report of the committee, might not be a bit the wiser on the subject. The right honourable gentleman had bestowed a good deal of attention in his speech on a subject not strictly before the House, and into the consideration of which he did not mean to enter—he meant the bill for regulating the issues of country Banks, which was not to be proceeded with this session. But the right honourable gentleman had laid down some propositions so different from

what he (the Chancellor of the Exchequer) considered true, legal, and constitutional principles, that he could not help noticing them. The right honourable gentleman had said, that it was not legal or constitutional to exact security from bankers for the notes they might issue. [Here Mr. Tierney intimated across the table, that he had said it was bad policy.] If the right honourable gentleman retracted his words, he ought to do so explicitly; but he had unquestionably called in question the right of demanding security from bankers for the notes which they might have in circulation. It appeared to him, that the legislature had not only a general right to regulate all the transactions of the country, but that it had a peculiar right to call for security from those who issued a currency to represent the metallic currency of the country—a power, in effect, no less than that of coining, which had always been held to belong particularly to the sovereign. As to the plan of issuing government paper in the shape of stock debentures, he would repeat what he had formerly said, that he had never entertained such an idea for a moment. The proposition had been made to him, but he declared it wholly inexpedient. Whether, under any circumstances, stock debentures might or not be advisable, was a question into which it was not then necessary to enter. He had thought such a measure wholly inexpedient at present, because the amount of floating government paper was already as much as it was desirable to have at the present moment. As to the advances of the Bank to government ample provision was made for reducing them to any amount that might be deemed necessary. The funding of sixteen millions of Exchequer bills had already much diminished them, to a greater extent indeed than the Bank had thought fit to require.

How far the character of the country had suffered from its paper currency, he would leave those gentlemen who were acquainted with the continent to determine. Had any of them found that the character of this country had decreased there? The constant increase of paper circulation in England had been known for many years. Was it not by the aid of this paper currency that we had been able to subsidize all Europe, that we had marched triumphant armies over the continent, that we had stood so high at the congress of Vienna, and that we had been enabled to conclude a peace the most honourable to this country of any that we had ever obtained? And now, after three years of peace, there was no country in Europe of which the finances had improved so much—there was no other country in which any thing had yet been done towards redeeming any part of its debt. The grounds on which he proposed to continue the Bank Restriction for another year were simply these—the extraordinary situation of foreign countries, and the extraordinary relations of this country towards them, which were such, that no man of experience on the subject could deem it prudent or safe to resume payments in specie at the present moment.

A debate of considerable length ensued, in which Lord Althorpe, Mr. J. P. Grant, Lord Folkestone, Mr. Frankland Lewis, and Mr. Grenfell, supported the motion of Mr. Tierney, which was opposed by Mr. C. Grant, Mr. Huskisson, Mr. J. Thornton, and Lord Castlereagh. On a division, it was negatived by 164 to 99.

On the 18th May, the report of the committee on the Bank Restriction Bill was brought before the House. The opponents of the measure no longer attempted to demand the resumption of cash payments, which must then have taken place in little more



than a month. Mr Frankland Lewis only moved an amendment in the preamble, by which it might be stated, that the delay was to enable the Bank to make the necessary reduction in the amount of their notes in circulation. Mr Canning opposed the amendment, as implying a reason which did not exist; and, after some discussion, it was negatived by 88 to 21. Mr J. P. Grant then moved, that the period of resumption, instead of 5th July, 1819, should be fixed at six weeks after the meeting of the next session of Parliament. This being objected to by Mr Vansittart, Mr Tierney moved the 20th of March next, which, however, was negatived by 88 to 27.

On the 19th May, after a short conversation, the bill was read a third time, and passed.

The bill having now gone through the ordeal of the House of Commons, had not much to dread in its passage through the Lords. When, however, its commitment was moved by Lord Liverpool on the 26th May, a debate of considerable length ensued. The only novelty consisted in the prominent part taken by Lord Grenville, who reprobated the principle of the bill more forcibly than any of its former opponents. Even at the commencement of the last war, he thought it a matter of great impolicy to acquire, not a facility of supplying the wants of the country, but to burthen it with a dreadful difficulty, to which its resources could not be equal but by the greatest sacrifices. Satisfied as he was then, and confirmed as he was now, that there never had been a more fatal measure than the commencing and continuing the suspension of cash payments to which he alluded, he looked with the greatest anxiety to the time when we should be again free from that clog. He was one of those who fondly credited the promise, that all restriction should cease on the 1st

July next. He confidently believed that Parliament had given the country a sacred pledge, which nothing but the most urgent necessity, such as a general failure of the Bank at least, could tempt them to forego. He considered the measure as a mere boon and mark of indulgence to the Bank of England, to pay their creditors in notes depreciated five per cent below the nominal value. He was confident that the principal, the *sine qua non* cause of all our calamities, arose from the extensive issue of bank paper, and the ruin consequent on the depreciation of that issue. To that, more than to any other cause, must thousands in every rank of life, in the highest circles of commercial and agricultural enterprise, and the lowest sphere of laborious earnings, attribute the sufferings they had so grievously experienced. To that was to be ascribed the tears and wants of families reduced from comfort to dependence, and the distress, which, embracing all orders, from the highest to the lowest, had almost ground to destruction the middle classes of society. The pretence now urged for a farther suspension had never before been heard of. Because foreign princes were raising loans in their own countries, the renewal of cash payments in this was to be farther suspended! He denied that the late loan in France of fifteen millions had produced the effect attributed to it by the noble Earl: neither the raising of that sum, nor indeed of any sum in the present year, could have had the effect of altering the exchanges, or of raising the price of gold, at least to the extent asserted; for it was notorious and obvious to the most superficial, that where payments were to be made by one country to another, they were made in that commodity which it best suited the interest of the country paying to send. The proportion paid in gold was exceedingly small,

and could have no effect on the coin required for circulation.—The measure was also opposed by the Marquis of Lansdowne, Lord Lauderdale, and Lord King; and when it came to the vote, Lord Lauderdale moved that the restriction should expire in six weeks after the meeting of the next session of Parliament. The amendment was negatived by 22 against 9. The Earl of Lauderdale protested against the second reading. At the third reading, on the 27th, he moved a new preamble

to the bill, and afterwards, that the restriction should continue till either gold or silver should be made exclusively a legal tender of payment, or the relative value of these metals properly adjusted. Both amendments were negatived. Lord Holland moved, that the restriction should cease in the event of gold falling to 3*l.* 17*s.* 6*d.* an ounce, which was also negatived. Lord Lauderdale protested against the rejection of his amendments. The bill was read a third time, and passed.

## CHAPTER V.

## LEGAL REFORMS.

*Sir Samuel Romilly on the Act against privately Stealing in Shops.—Sir J. Mackintosh on Bank Forgeries.—Cotton-factories' Bill.—Chimney Sweepers' Regulation Bill.—Conviction of Offenders' Bill.—Alteration in the Game Laws.—Mr Taylor's Motion respecting the Northern Circuits.—Lord Erskine on Arrest, without Indictment, in Cases of Libel.*

Nothing does more honour to the present spirit of the British public and of its legislature, than the active exertion bestowed upon questions, not connected with the power and influence of the country and of its rulers, but with the concerns of private life, and the general well-being of society. This attention is directed only to the brilliant and conspicuous members, but, with a great preference, to the meanest and most outcast portions of the social system; those whom the pride of a former age was wont to trample under foot. It has extended, even in a peculiar manner, to those whom the world and its law had hitherto placed beyond the pale; who, having committed offences against society, were considered as its natural enemies, to be crushed in whatever mode might be deemed most efficacious. It was now inculcated, that justice ought no longer to wear a vindictive aspect; that the severity of former punishments ought to be softened; that not vengeance, but the security of society, and the reformation

of the criminal were to be the objects in view. Questions may arise whether, as often happens to human inexperience, some of the arrangements made with these benevolent views may not tend to defeat the very objects for which they were intended. When our leisure admits, we may perhaps attempt to point out some such. One thing, however, seems certain, that some diminution of the punishment of death, so indiscriminately inflicted by the early law of England, is indispensably called for. Even supposing the ancient rigour eligible in itself, modern humanity refuses to execute it; the law is rendered nugatory, and the criminal escapes altogether. To remedy this evil has, both in the present and preceding years, been the study of several eminent statesmen, who have justly merited the esteem of the public. Some elements of faction may have mingled with their zeal; and some may have been tempted to extend the popularity thus acquired by other less legitimate methods. Generally speaking, however, we find on

such questions a laudable confusion of parties and political antipodes often ranged closely by the side of each other.

On the 25th February, Sir Samuel Romilly moved for leave to bring in a bill to repeal so much of the act of the 10th and 11th of William III. as took away the benefit of clergy from persons convicted of stealing to the amount of 5s. in any shop or warehouse. The identical bill for which he was about to move, had passed the House of Commons four times; twice in that Parliament, and twice in its predecessor; and, on the last occasion, he might say unanimously; not a single word having been uttered in opposition to it. It had always, however, been stopped in the other House. He began with observing that the law, in its present state, had for some time back been completely a dead letter. From 1805 to 1817, a period of 12 years, 655 persons had been indicted for the offence under consideration. Of these, only 113 had been capitally convicted, and of those 113, not one had been executed; 365 of the 655 had been found guilty by the juries before whom they were tried, of simple larceny, by which the capital part of the charge was taken away. It was evident, therefore, either that these 365 persons had been improperly charged with a capital offence, or that the juries, influenced, no doubt, by feelings of humanity, had, in 365 cases, violated their oaths. He would also mention how the case stood with regard to the act making it capital to steal to the amount of 40s. within a dwelling-house. Within eight years down to 1816, no less than 1097 persons had been tried for this offence. Of these, 293 only had been capitally convicted, and not one had been executed. In 1816, 131 more persons had been tried, of whom 49 had been capitally convicted, and one (whose

case was accompanied by circumstances of great aggravation) executed. So that, of 1228 individuals tried, 342 only had been capitally convicted (the juries either acquitting the 886, or finding them guilty of stealing to a less amount), and only one person executed! Was this a state of the law which it was desirable to continue? In these cases the principle was, to enforce the law only in cases of peculiar aggravation. There were other cases, as fraudulent bankruptcy and forgery, in which it was the principle always to put the law in execution, unless under circumstances of peculiar extenuation. The consequence then was, that although not a year passed without a number of fraudulent bankruptcies, there had been, in the course of 85 years, only four capital convictions for this offence. In forgery, the vast multiplication of cases had at length induced the necessity of abating somewhat of the original rigour. A discretion in this respect was lodged with the Bank of England, which, he believed, was judiciously and humanely exercised. But the consequence was, that the uncertainty of punishment which this occasioned, destroyed all the advantages that might be supposed to result from the severity with which the law was generally enforced. The fact was, that forgeries had greatly increased. Nothing could be more certain than that if the sanction of the law was insufficient to prevent the crime, it was calculated to produce the worst effects. There was not only the loss of lives, but the deterioration of moral feeling, which such exhibitions were calculated to occasion.

The motion of Sir S. Romilly being seconded by Mr J. Smith and Sir J. Newport, leave was given to bring in the bill.

At the third reading of the bill, on the 14th of April, the Attorney-Ge-

neral moved an alteration of the preamble, which set forth, that extreme severity was calculated to obtain impunity for crimes. To this principle he did not object, but he objected to the consequences of such a declaration of it. It might mislead men into a supposition that punishment ought to be proportioned to the precise degree of moral turpitude. He contended, that severity ought to regard not only the moral turpitude of the offender, but the pernicious consequences of his offence. There were crimes which might be committed with a degree of moral depravity, far short of that which prompted offences of a venial character, but which on account of the consequences, merited next to murder, the greatest of all crimes, the severest punishment. He objected also the clause referring to the change in the value of money, which seemed to establish the principle that every part of the law connected with such a variable circumstance should likewise undergo an alteration.

Sir S. Romilly could not agree to an amendment, which went to expunge the very principle of the bill, a principle founded on long experience. He mentioned an instance which had taken place at the last Old Bailey sessions, in consequence of a belief which had gone abroad that pardon was never to be extended to servants who had stolen from their masters. A person of the name of Milwood was tried for having stolen property to the amount of several hundred pounds from his master. The evidence was conclusive, and the jury convicted him, but they found him guilty of stealing to the value of 39 shillings. Could any man doubt that the jury, in this case, returned such a verdict in consequence of the statement in the newspapers, of the resolution of the judges that death should follow upon a verdict of guilty of stealing to the value of 40 shillings?

He did not mean to blame the jury, although he could not adopt the language of Judge Blackstone, who had pronounced such verdicts, "pious perjuries." The jury were driven to the dreadful alternative of acting in opposition to the awful oath they had taken, or of handing over a fellow-being to the last punishment, for a crime which had not been regularly connected with such a punishment. The change in the value of money appeared to him equally an unquestionable ground in reason for the alteration.

Mr Wilberforce warmly supported the measures of Sir S. Romilly, passing at the same time a high panegyric on the benevolent exertions of Mrs Fry in reforming the class of female prisoners in Newgate. The amendment was then negatived, and the bill passed. When, however, on the 3d June, it was brought before the Lords, it experienced the same inauspicious fate as before. Being opposed by the Chancellor, it was negatived without debate and without a division.

A still more important subject was brought before the House by Sir James Mackintosh. The great and increasing number of convictions and executions for forgeries on the Bank had excited a deep interest throughout the nation. Public opinion was shocked by their frequency, and called loudly for some remedy. Such was the task undertaken by this eminent statesman. On the 25th February, he moved for an account of the prosecutions for forgery for 14 years before and 14 years after the restriction of cash payments at the Bank in 1797, and also for the number of convictions and executions at each period. After a short conversation, the amount was ordered, both with regard to the forging of notes, and the counterfeiting the coin of the realm.

These accounts being laid before the House on the 21st April, Sir J.

Mackintosh moved, in addition, for accounts of, 1st, The value of forged notes presented to the Banks between 1st January 1816 and 10th April 1818; 2d, The number of prosecutions for forgery, or uttering forged notes, in the same period; 3d, The number of notes discovered by the Bank to have been forged; and, 4th, The expence incurred by the Bank in prosecutions for forgery. All these were granted without opposition, except the last, which was represented as an unjustifiable interference with the private transactions of the Bank. Sir James, however, said, he was prepared to shew, that the present system of our paper currency had created an enormous public evil; that it had tainted and corrupted the morals of a large class of people; and that it had occasioned an increase of crime with a rapidity unexampled in the history of law, and of civil society. How, then, was it possible to consider the money laid out by the Bank in prosecuting crimes of which they themselves were the real authors, as a private expenditure, of which Parliament ought to have neither the inspection nor the control? Even from the scanty materials obtained, it appeared, that for the seven years previous to the suspension of cash payments, the Bank had not instituted a single prosecution for the forging their notes, and that for the seven years subsequent to that event, they had instituted 222 prosecutions. Was not this a frightful leap, and only to be accounted for in one way? The calculation, of course, excluded the year 1797, as being that in which the measure of suspension was resorted to. In the fourteen years previous to the suspension, there had been only four prosecutions. In the fourteen years subsequent to that measure, there had been no less than 469! In the twenty-one years previous to the suspension, there had been only six prosecutions; while in the twenty-

one years subsequent to it, they had increased to 850. The proportion was, therefore, as 6 to 850; and he would ask, whether the history of the criminal law of this, or indeed of any other country, afforded a parallel instance of so great, so sudden, and so permanent an augmentation of crime? It had been urged, that the increase of prosecutions by the Bank had tended to diminish those by the mint; and when it was proved that the latter had increased also, it was then said, that this fact shewed a general increase of depravity. But the increase of mint prosecutions had been gradual; while those by the Bank had made the above sudden and tremendous leap. In vain had it been attempted to repress this crime by the severity of punishment. On the contrary, the more the promoters of capital punishments cried Hang! hang! hang! the more the offence was committed, and the more numerous were the offenders executed. It must be confessed, that the machinery of the Bank was most perfect for the protection of its own interests. The Bank, within four years, had had 100,000 forged notes presented it; all of which they had immediately checked, except 199 which they paid, but all which they afterwards recovered. Sir James observed, that the punishment of forgery was peculiarly odious, from the number of weak and dependent individuals who were easily seduced and almost compelled into it. He feared to embitter the execution of a public duty—but it was due to his conscience to say, that the convictions of women at Warwick, at Lancaster, and at the Old Bailey, must fill mankind with a degree of involuntary horror. It was lamentable that the courts of justice, which were established for the protection of the people, should become hateful; yet this might be the case without a single fault on the part of those who ad-

ministered the laws, when the laws themselves were ill-judged. To see a father, a wife, a daughter, and sons, convicted *en masse* for such crimes as these, might be just, might be necessary, might be legal, but would be abominable. The Bank, he observed, had brought their machinery to perfection, so far as related to the discovery of forgery by themselves; but the object and the difficulty was to put such marks on their notes as would be recognized by the poor and ignorant. Since the Bank must incur expence, they would rarely rather pay it to artists for improving the character of their notes, than to spies and informers for detecting the guilty, and perhaps entrapping the unwary. It was in this view that he wished to know the expence incurred in prosecuting. Considering the enormous increase of these prosecutions; considering the number of persons employed, who deprived men of their innocence, that they might afterwards deprive them of their lives; considering the many instances of this kind, some of them detected and exposed by the intrepid and indefatigable benevolence of his honourable friend, the member for Shrewsbury (Mr Bennet,) he thought it desirable, that some of the particulars of the Bank prosecutions should be laid before the public.

Mr Manning insisted, that there had been more prosecutions by the Mint than by the Bank. The Bank had bestowed the utmost attention on every plan submitted to them for improving their notes; and if all hitherto proposed to them had been rejected, it was because, after the most deliberate consideration, they had been deemed inadequate. He had no objection to the first motion; but the wish to know the expence of prosecutions, appeared to him to betray a desire of prying into the private concerns of the Bank.

The Chancellor of the Exchequer conceived, that the giving of the num-

bers of prosecutions and convictions would answer every reasonable purpose, and that there then would be no necessity for a statement of the expences the Bank had incurred in the conduct of prosecutions, in the view of a just and moral consideration of the subject. It appeared, that the hon. and learned gentleman had suspicions, that the Bank had recourse to the abominable practice of employing spies and informers, in consequence of the supposed amount of their expences for prosecutions; and that they paid large sums of money for the treacherous practice of inveigling individuals. He believed that such suspicions were wholly unfounded, as far as they related to so respectable and honourable a body as the Directors of the Bank.

After some short observations from Mr Bennet, Mr Alderman Wood, Mr Grenfell, and other members, the motions were carried without a division. The ministers and Bank Directors, notwithstanding their objections to that relating to the expences of prosecution, did not attempt to divide the House against it.

The above accounts being presented, Sir James, on the 13th May, rose to move for a committee of inquiry into the means of preventing the forgery of Bank of England notes. From the accounts now laid before the House, it appeared, that the expences of prosecutions for forgery, on the part of the Bank of England last year, were 30,000*l.*; in the present year, in which prosecutions had made such gigantic strides, in the three months of which returns had been made, the expence was within a few hundreds of 20,000*l.* The general average struck him as extremely alarming. It was 265*l.* for each individual prosecuted. In former years, the forgeries had been chiefly confined to small notes; by the last returns it appeared, that a propor-

tionate increase of forgeries for larger notes had now occurred;—a melancholy proof, that the skill and boldness of the criminals in the forgery of small notes, had tempted them to try their fortune on large notes. Sir James continued to urge afresh, with great force, all the arguments which he had brought forward on a former occasion.

The Chancellor of the Exchequer rose, he said, not to depreciate the importance of the subject before the House, but to recommend what appeared, to his mind, a more effectual mode of attaining the object in view than that proposed by the hon. and learned gentleman. To investigate this subject would require a degree of patient research and scientific knowledge, which was not, he with all deference apprehended, to be looked for in a committee of that House; and, therefore, he thought it more advisable to have such an investigation conducted by a special commission, consisting of fully qualified persons, and having an opportunity of consulting the first artists in the country. He therefore proposed to move for the appointment of such a commission. Many advantages would belong to such a commission, which could not appertain to a committee of that House; for, while the labours of the committee must be limited by the duration of the session, those of the commission would be subject to no such limitation. He fully admitted the greatness of the evil, and the importance of every thing possible being done to remedy it; at the same time that the statements of the hon. and learned mover appeared to him somewhat exaggerated. Forgery was almost as much known and practised long before the present day as it was now. In the middle of the last century, the number of persons executed for forgery were greater, in a given period of time, than they were in the

same period of late years. In the years 1749–50–51, and 1752, the number of persons executed for forgery in London and Middlesex amounted to 19, and in the last four years the number was only 18. He spoke here of various kinds of forgeries, for he had not data sufficient to state the particulars. The late accounts were more accurate. In the years 1811–12, and 1813, the number of persons executed for forgeries in the united kingdom was 110; and, in the last three years, the number did not exceed 91. The sanguine expectations entertained from the resumption of cash payments were refuted by the great increase of the crime of coining. The number of persons indicted for coining, in the years 1811–12, and 1813, amounted to 392; and, in the years 1815–16, and 1817, they were as high as 624.

Mr Bennet congratulated the Chancellor on his prudence in not opposing the motion. The crime of forgery, so far from being diminished, was increasing to an alarming extent. From the very paper alluded to by the right hon. gentleman it would be found, that, in 1811, 43 persons were indicted for forgeries on the Bank, or uttering such notes; in 1812, 67; in 1813, 95; in 1814, 63; in 1815, 71; in 1817, 162; and in the first three months of the present year, 112. He would say, that the number of criminals was so excessive, that government dared not put the sentence of the law in execution on those who were convicted. But the Bank had assumed to itself the right of dispensing with the law, by omitting the capital part of the charge against whom they pleased, and bringing them up to plead guilty to the smaller offence. Thus, it appeared, that no less than 200 persons had pleaded guilty, in three years, of having forged Bank notes in their possession. In the middle of the last century, those persons would not have



been suffered to plead guilty, but would all have been executed if convicted. — Therefore, the right hon. gentleman's principle was erroneous. Was it right that the Bank should decide on who was to suffer capital punishment? At the last sessions for London, 12 persons were sentenced to 14 years, transportation, and two, one of whom was an unfortunate woman, had been selected to suffer death. By whom were they selected? Not by the Judges. The solicitor of the Bank held up the list of prisoners, and said that those numbered so and so were the persons to be tried for the capital offence.

Sir A. Pigott strongly defended the Bank Directors, and considered the charge against them as very unjust. He found himself called upon, when he heard such charges brought against a body of men whom he knew not to deserve them,—he felt, that it was a justice which he owed them, and which he regretted he had so long delayed to render, to say, that they had done their duty to the public; and that the accusations of negligence in looking out for the means of prevention, or severity in calling for punishment, or caprice in selecting the objects of it, were unfounded. He was sorry to hear it said by an hon. gentleman, that it was left to the solicitor of the Bank, however respectable that individual might be, to determine on the objects of capital prosecution. This was a misrepresentation that was not in the least countenanced by fact. No such discretion was entrusted to the Bank solicitor. He received his instructions from the direction, like any other law agent in a similar situation, with regard to individuals; and it was his duty to follow those instructions, laying the prosecution, which he was directed to institute, before the proper Court. The Directors themselves examined the circumstances of every particular case, and proceeded according to the

views which such an investigation suggested. When in doubt or difficulty, they asked the opinion of counsel,—though, in such cases, they did not apply to their regular counsel,—and were guided by the legal advice they received.

Mr Canning conceived there could be but one opinion in the House as to the necessity of devising some means to check the evil. It was quite impossible, he observed, for the Bank to communicate to the country the private marks by which they distinguished genuine from forged notes, because this information would immediately be acted upon by the forgers. To prevent forgeries, it seemed desirable that something more artificial and more elaborate in its execution should be provided. All came to this at last,—that the bank note would be less likely to be forged, if it were, like one of Raphael's pictures, or the Venus de Medici, so finely executed, that imitation was almost hopeless. Stimulated as talent would be, by the rewards that he anticipated the inquiry about to be undertaken would hold out to successful exertion in this way, he thought it would be a disparagement of the art of engraving not to look forward to a considerable, if not to a decisive improvement. At the beginning of the session he might have preferred a committee, but now the proposed commission appeared to him the most eligible. Wishing, that what they did should not go merely to allay a temporary clamour, or to excite a fallacious hope,—wishing that to be done, which would confer a substantial and lasting benefit on the country,—he should vote for the amendment.

Sir James Mackintosh was happy to observe, that all sides were agreed as to the necessity of some inquiry. His friend, Sir A. Pigott, had been mistaken in supposing that any personal charge was insinuated against

the Bank Directors, though the selection made by them could not fail to create distrust in the public. It was said, that he had exaggerated the increase of forgeries, and a comparative statement of crimes was produced to countenance the assertion. The plausibility of this statement rested on the number of executions for forgery, not upon the number of convictions, and much less of prosecutions. He did not confine his view of the case to the number of executions alone. He had called the attention of the House to the prosecutions instituted on the ground of forgery for twenty-one years previous to the Bank restriction, and for twenty-one years subsequent to it. In the former period, there were only six prosecutions, while in the latter the number amounted to 860. During the fourteen years immediately preceding the restriction the prosecutions were but four; in the following fourteen years they were 404. He saw no reason why a committee of the House of Commons should not be entrusted with any secrets necessary to be communicated in such an inquiry as that proposed. He could not believe that the House deserved so severe a censure as to say, that twenty-one of the gentlemen who composed it were not to be trusted with secrets referring to this subject. He saw no reason for delay in the appointment of a committee. The only objection to it was such as ministers alone could create, by an early dissolution of Parliament. All that was necessary might be done in a month. An investigation by commission would not, he was convinced, remove the distrust and jealousy of the public. They really believed that there was a compact between the Bank and the government; the appointment of a commission would then appear to them nothing more than the selection of individuals to try their own friends. The public

could expect nothing from such a commission but subserviency and collusion. The report of a committee would produce quite a contrary impression. Such reports were of the highest value; they conveyed at all times most useful and important information; they kept up the character of the House, and tended more than any thing else to support the respect of Parliament. They were now called upon to desert their functions, and to delegate them to a commission chosen by the crown, of which it was their duty to be jealous. If they did not maintain towards the crown a proud but respectful attitude, and towards the people one of protection and support, they would injure their own character,—they would fall in the confidence of the country,—and alienate from themselves that respect, which it was desirable by all means to increase.

The vote being now called, the amendment of the Chancellor of the Exchequer was carried by a majority of 106 to 62. After some discussion on minor points, the main question was then carried.

Another plan destined to prevent or diminish certain evils to which a numerous body in the lower ranks is liable, occupied a large share of attention during this session. In the cotton manufactories, which form now so extensive a proportion of British industry, a great part of the work is performed by children of a very tender age. A class of labourers thus employed, not voluntarily, nor for their own behoof, must be exposed to considerable oppression. The spending almost their whole time in a confined situation, and in an employment little favourable to health, cannot but be unfavourable to the formation of a vigorous constitution. Tender and careful parents will indeed study to prevent their children from sustaining

this injury ; but besides the inevitable temptations of poverty, it has, we are informed, been too common for dissolute parents to support themselves in idleness and debauchery by the excessive and premature labour of their children. It was therefore contended, that this unfortunate portion of the British youth should be taken under the protection of Parliament, and some kind of limitation placed upon the degree of labour to which they should be subjected. Such a system certainly borders upon an interference with the freedom of labour, and upon that tendency to overlegislate, with which the present age has been reproached ; yet, though both these are bad, there do seem in the present case to be special and urgent circumstances, sufficient to justify and even to dictate a certain extent of regulation.

The subject was brought before the House on the 19th February, by Sir Robert Peel who, in a series of desultory debates, was supported by Mr Peel, Mr W. Smith, and some other members, and opposed chiefly by Mr Philips, Lord Lascelles, Lord Stanley, and Mr Finlay. His proposition was, that the time, if spent in the factory, should be restricted to twelve hours and a half, of which one and a half should be allowed for meals, leaving eleven hours as the entire period of labour. He observed, in Manchester alone 20,000 persons were employed in the cotton manufactories, and in the whole of England about three times that number. The business was of a peculiar nature, requiring of necessity that adults and children should work in the same rooms and at the same hours. It was notorious that children of a very tender age were dragged from their beds some hours before day light, and confined in the factories not less than fifteen hours ; and it was also notoriously the opinion of the faculty, that no children of eight

or nine years of age could bear that degree of hardship with impunity to their health and constitution. Mr Peel also observed, it was proved that children were employed there fifteen hours a-day, and after any stoppage, from five in the morning till ten in the evening—seventeen hours, and this often for three weeks at a time. On the Sunday they were employed from six in the morning till twelve, in cleaning the machinery. The medical men examined by the committee were some of them related to manufacturers, and well acquainted with factories. It was on evidence, that children had even been employed at an age as early as five, and some were employed under the age of seven. Could any person say, that a child of seven years of age ought to be employed fourteen hours ? Was it necessary to have the evidence of medical men to prove that to employ a child of seven years of age was unfavourable to health ? At the second reading, Sir Robert said, in 1802, he told the House that he was an advocate of free labour. He was still an advocate of free labour, and he wished that that principle should not be infringed on. He could not think that little children, who had not a will of their own, could be called free labourers. They were either under the control of a master or a parent. He hoped the House would take these children under their protection. If ever there was a case which deserved the attention of every member of the House, the present was the case. Mr Peel said, it was objected, with a show of plausibility, that it was improper to interfere with free labour ; but from the age of the children, and from the situation of the factories, their labour could hardly be said to be free. The masters of the cotton mills fixed the same hours of labour for all the persons employed, and a child could not say, that he

would not work nine hours; he must work the ordinary number of hours, or not at all. He was satisfied that a number of mills were well managed, but he repeated, that it was for those which were improperly managed, that legislation was meant. After a number of desultory observations, it being remarked that the bill was creeping through its various stages without any regular debate having taken place, one was appointed, for the 27th April. Its advocates then urged, in addition to their former arguments, that numerous petitions had been presented to parliament, praying that that time might be shortened; and more especially one from Manchester, proceeding from persons wholly uninterested, except from motives of humanity; among which persons were 30 medical men, and 21 clergymen. Humanity was the only motive by which these individuals could be influenced, for they had no connexion of any kind with the cotton factories. There were petitions praying for the same object, from the spinners themselves; and even from some of the master manufacturers—the sole motive of most of whom must be, a benevolent wish to alleviate their situation. Indeed Mr P. believed that the number of master manufacturers who supported the bill was greater than that of those who opposed it, and that many of them were even anxious that its provisions should be extended to adults. It was obvious to every person who had taken the trouble of reflecting upon the subject, that human nature, at so early an age, was not capable of bearing such excessive fatigue as must arise from 13 to 14 hours' uninterrupted labour. It could have no other effect than to destroy the constitution of children, and to prevent them from becoming healthy and useful subjects. The principle of interference, though in general to be avoided, was constant-

ly acted upon in cases which appeared to present an exception from ordinary employments. Now, did the cotton trade present such an exception as called for the application of this remedy? He thought it did, and for this reason—it was carried on in immense buildings, in many of which more than 1000 children were kept at work, 12, 14, and sometimes 15 hours a-day—no distinction being made between the child of the tenderest age and the most grown, or between the imbecile and the strong. These children were obliged to work the same hours as men; and if, in manufactories where the average time of working did not exceed 12 hours, from accidents which stopped the mill, they lost a few hours, they were obliged to fetch them up by "extra time," and this imposed upon them occasionally the necessity of working 15 hours in one day. The numbers employed in the cotton trade was another of its peculiarities. If the evil were a small one, then legislative interposition might be necessary, on the maxim, *de minimis non curat lex*, but here the evil was confessedly great, for in Manchester alone not less than 11,600 children were employed in this trade. The parents had no objection to this measure. It appeared they were willing that the hours of labour in each day should be limited to eleven; but they had no alternative, as the masters said they must either remove their children altogether, which they could not afford to do, or they must let them work 12 or 14 hours, as the men did. It was said, "they came as early to school as the other children, except in some of the evenings of the winter months." This explanation afforded room for much consideration. Was it not disgusting to see that education, which was intended to be the greatest of blessings, converted into a curse by this mode of compelling the children to try and

avail themselves of it, after thirteen hours and a half of fatigue, when, throughout the day, labour had drained from them every spring of action that could refresh their faculties, and benumbed that elasticity of mind which could excite them in the pursuit of study?—was it not disgusting to see them thus transferred, after 13 or 15 hours of bodily exertion, to close the day under the hands of a writing-master? It was impossible that it could be requisite to the prosperity of this great and flourishing country that such enormous labour should be exacted of near twelve thousand children in one town. Those who spoke of the unhealthiness of cotton mills were answered by some honourable members, who seemed to think, that of all the healthy spots on the face of the globe, a cotton mill was the most healthy. Indeed, if all that these honourable members said of the healthiness of cotton mills were true, application ought to be made to the legislature for the erection of cotton mills, for the purpose of further and more effectually providing for the health of his majesty's liege subjects.

Against these arguments the opponents of the measure maintained, that there was no proof of any evils that could justify legislative interference. Mr Finlay warned the House against entertaining any measure, which went, like the present, to interfere with a manufacture of such vital importance. It was the most important ever established in this country; indeed, he believed, it employed more people than all the other manufactures of the country taken together. The exports from it exceeded 20 millions a-year; and what was exported was not equal to what the home consumption was. The whole amount of the manufacture was little short of 40 millions a-year. In opposition to the alleged unhealthy nature of the em-

ployment in the cotton factories, it was stated by Mr Finlay, that in July 1817, the whole number of persons in the Manchester infirmary amounted to 370; of that number, 55 only were from the cotton factories. Now, the number of persons in Manchester, engaged in the cotton factories, amounted to 24,000; while the population was between ninety and a hundred thousand. There was, therefore, the most complete evidence of the superior health of the persons engaged in the cotton factories, to that of the other inhabitants. Lord Stanley admitted that great abuses had once prevailed as to the treatment of children in cotton manufactories. They had been frequently removed under the conduct of parish officers, against their own will and that of their nearest connexions, to some distant manufactory, and bound apprentices in troops to those with whom they and their parents were totally unacquainted; and they experienced in their full rigour all the severities of such a system. The cotton trade was not then what it was at present. Those who were engaged in it at that time, were anxious to procure, in a short time, immoderate returns from their capitals. In pursuance of that object many abuses crept in with respect to apprentices, to prevent which, it was judged expedient to pass the Apprentices Act. But it could not be denied, that a great amelioration in the system had since taken place. The bill now before the House, however, stated, that the Apprentices Act was now insufficient, but from what reason he did not know. As to the general opinion that the cotton trade was so far more unwholesome than others as to call for the interference of the House, of that there was no proof. Water-gilding was very pernicious to those employed in it, yet it was not under the operation of any legislative restriction. The

plate-glass business was allowed to be highly insalubrious. Children, however, were employed in it, though exposed to violent heats and drafts of air. Glass-cutting also was unhealthy. The work was carried on in damp places; people of tender age were employed in it, but yet, in none of these cases did the legislature think it necessary to interfere. Was the weaving trade less unwholesome than the cotton? And were not children put to it at an early age, and kept as long at work? The weaver was pent up in a lone, close, confined cabin, and often obliged to work upon a damp floor. Working people were exposed to the vicissitudes of excessive heat and cold, to damps of every kind, and to every species of bodily infirmity, in the coal and lead mines, and yet nobody ever called for such legislative enactments in the management of those concerns. Lord Lascelles observed, that mills worked by water could be in operation only at particular times, and that to prevent extra work at those times would be a very serious disadvantage. The labour as at present followed, was undoubtedly, in his opinion, free labour, as he did not know how the parent was to be separated from the child by any mode of legislative interference, and as free labour it should undoubtedly be allowed to continue.

At the close of the debate, the measure was carried in the House of Commons by a majority of 91 to 26. The bill was introduced by Lord Kenyon into the Upper House. It was strongly opposed, however, by Lord Lauderdale, who insisted, that such an interference was contrary to every sound principle of political economy. He in particular urged, that evidence should be taken, and counsel heard on the subject. This was seconded by the Lord Chancellor, who declared, that he had never seen evidence

with so little propriety be founded as that hitherto collected. Lord Liverpool, on the other hand, strongly supported the bill. He admitted, indeed, that much of the evidence was contradictory; but whatever might be produced by the counsel at the bar, this he should be prepared still to maintain, that if the maximum of children's work in the factories in question was seventy-two hours a-week, and this was admitted by the counsel at the bar, then, in spite of all the testimony that might be brought, he would assert, that it was morally impossible such labour should not have those injurious effects which called for the interference of the legislature.—Lord Lauderdale's proposition, however, was finally carried. The report was not brought up till the 5th of June, when Lord Kenyon stated, that in so late a period of the session, he considered it necessary to postpone the further consideration of the bill. Lord Lauderdale triumphantly insisted, that the evidence was fully sufficient to justify such a resolution; but Lord Kenyon denied having received any such impression, and pledged himself to bring forward the subject at an early period of the ensuing session.

A bill was also brought in this session for the regulation of chimney-sweepers and their apprentices. Its particular object was to prevent the employment of boys, the effects of which had been manifest and truly terrible. Mr Bennet, who introduced the bill, stated, that within even the last year, no less than five fatal instances had occurred to shew its character. One of these in England, and another in Scotland, had been attended with circumstances of peculiarly aggravated cruelty. In London, with a view to save fuel, the flues were often no more than seven or eight inches in diameter, and consequently, in order to clean such chimneys, it became necessary to employ children of

the tenderest age. For that purpose, indeed, children of less than seven years of age were often employed, nay, female children were actually so engaged in some instances.—The bill was brought in, and ordered a first time on the 9th February. On the 18th, when a petition was presented from York in its favour, Lord Milton observed, that there were many chimneys in the metropolis which could only be swept by boys, and would be rendered useless by the passing of the bill. He proposed, that only some particular encouragement should be given to the use of machinery, and a heavy tax be laid on the employment of climbing-boys. Mr Bennet, however, maintained, that those who had such chimneys could well afford to alter them; that they were, in fact, the most dangerous, and those in which chiefly the accidents had happened. The bill, however, passed the House of Commons, and was introduced by Lord Auckland into the Lords. After, however, it had gone through the different stages, and was come to the third reading, Lord Auckland announced his intention of proposing its postponement till next session. He did not at first expect that any thing could have occurred to have induced him to postpone a measure, the object of which was to put an end to a most severe labour so unnaturally imposed on children of a tender age; but the investigation which had taken place in the committee, proved the necessity of a delay, to which he was reluctantly bound to accede. In the course of the investigation before the House, it appeared, that there were many in the trade who treated the children very humanely; but others were guilty of the greatest cruelty: and the condition of the children employed was, on the whole, very miserable. A modified bill had been suggested; but his opinion was, that an

end should be put to the whole system. Though the evidence was in some points contradictory, it was on the whole greatly in favour of the abolition. An address had been voted by their Lordships, for the purpose of causing an experiment as to the practicability of using machinery, to be made by the surveyor-general. That experiment had already commenced on a very extensive scale, and sixty of the most difficult chimneys had been swept without any failure. The result of the experiment would afterwards be considered, by a board composed of bricklayers and masons: but it was obviously impossible that this investigation could be brought to a conclusion during the present session. On that account he could not now press the third reading of the bill; but the delay would give farther time to the public for preparations to meet the change of practice, and might smooth many difficulties which otherwise would have occurred. The bill would be introduced early in the next session, with a full confidence of success in the accomplishment of a measure which would prove not only beneficial to the individuals who were the objects of it, but to the whole community.

Mr Bennet, on the 2d of March, brought forward another bill, of which recent examples had too fully proved the necessity. The report of the Police Committee, with several flagrant examples which had occurred in the courts of justice, had proved, that the reward of 40*l.* granted to those instrumental in the conviction of offenders, had a tendency to produce the very worst effects. There could, Mr Bennet said, be no question that a number of juvenile offenders were permitted to roam at large, and to proceed from one stage in crime to another, till they were, as it was technically called, "worth their weight;"—that was, 40*l.*

sterling. It was stated in evidence, that, on trials, the first question frequently put to police-officers and witnesses was, what they would gain by the conviction? and by this means, persons, of whose guilt there could be no doubt, were frequently, from the difficulty of obtaining witnesses, acquitted; because witnesses felt their characters assailed by the sort of questions which were put to them, and because this blood-money hung like a stone about their necks. Another reason for remedying the system was, that it led to conspiracies for procuring people to commit crimes, to obtain the reward for their conviction. He was convinced he was not exaggerating when he said, that it had been a long established practice in this country, for individuals, day after day, and year after year, to stimulate others to the commission of crime, for the purpose of putting money in their pockets by their conviction. It was his intention to propose, that what were technically called Tyburn-tickets, should be continued; and that the reward of 40*l.* should still be paid to the executors of any persons killed in the pursuit of highwaymen, or the executors of persons killed in discharging their duty in seizing of criminals, on whose conviction the reward was payable.— But instead of the rewards on conviction, payable by the 4th, 6th, and 10th, of William and Mary, the 5th of Queen Anne, and the 14th and 15th of George II. he intended to propose, that there should be assigned money for the expences of prosecuting, and bringing forward witnesses, in all cases of felony whatever, whether a conviction did or did not take place, at the discretion of the judges.

The bill was then brought in, and passed through its several stages; but, on its recommittal, the Attorney-General proposed an amendment, which was

not certainly to abolish the reward or rewards due upon the trial and conviction of an offender, but simply that it should henceforth be left to the discretion of the judge or justices of assize to apportion such compensation as might appear fit, or even, to refuse it altogether in the same case. When men had no longer a right to claim the rewards, they would have no temptation to conspiracy; and, on the other hand, there would remain a due encouragement to those who exerted themselves with honesty for the apprehension and conviction of offenders.

Sir Samuel Romilly objected to the clause, as rendering the bill in a great degree nugatory, since it still left the reward, only with a discretion to withhold or apply it. In Birmingham, a case had lately occurred, wherein police-officers had earned 120*l.* by the conviction of three boys. Rewards had the necessary effect of warping the evidence, and of inducing informers to give a colour to their testimony, calculated to achieve their object in the conviction of the prisoner. The system, besides inducing persons to conspire against the lives of innocent individuals, created in witnesses an eagerness for the conviction of the prisoners quite revolting. The nearest relatives were seen not unfrequently perjurying themselves, to obtain the reward by the death of their kinsfolk; and he had himself known a case, where a father had evinced the most shocking anxiety for the conviction of his own son. There was another dreadful evil attending this system, that police-officers, in the metropolis, and other large towns, were anxious to support nurseries of crimes, in hopes that those poor creatures, entrapped by themselves, might eventually become profitable to them.

The same opinion was expressed by Sir James Mackintosh; notwithstanding



ing which, the amendment was carried without a division.

The game-laws had for some time been the subject of much discussion in Parliament. The high and aristocratic principles which they breathed were repugnant to the feelings of the age, and the spirit of the British constitution. Yet the interest and pride of the landed proprietors formed a strong barrier against any mitigation of their severity. After all that was said against them, therefore, the measures actually taken had tended only to arrest, by new penalties, the rapid progress of poaching. Such was the tendency of the bill introduced this year by Mr G. Bankes, which proposed to make it penal to purchase game, as it had already been made so to sell it. He expected the support, not of those members alone who were anxious to protect the game of the country, but of those also who were solicitous to diminish the number of offences connected with the unlawful destruction of game. Most of these offences would be got rid of, if the legislature could effectually prevent the buying and selling of game; for it seldom happened that poachers killed game for sustenance, or for the mere gratification of their own tastes.

Mr Curwen, however, insisted, that the proposed measure only tended to make the game-laws still more odious; and while the present oppressive and unjust code of laws existed, it was vain to think of putting an end to the crimes which they generated.

By a majority, however, of 60 to 28, leave was given to bring in the bill.

On the 6th of May, at the second reading of the bill, the question came to be fully argued.

Mr Bankes hesitated not to declare himself inimical to the whole system of the game-laws. A report had been

made to the House on the game-laws, in which there was a recommendation to make game private property. That report had been laid on the table of the House two years ago, and had as yet produced nothing. When any member should bring forward a comprehensive measure founded on this report, he should be willing to agree to the repeal of all the game-laws; but, so long as they existed, their operation should be made uniform, which was the object of the present bill. He had heard it objected to this bill, that if it passed, as game could not be afterwards bought, the class of consumers, who now purchased it, would have no means of obtaining it. He did not see the force of this objection. Game not found in the market would be sent to town as gifts, and the tables of the rich might thus be as amply supplied as before. If there was any thing enviable in the situation of a country gentleman, as connected with this species of wealth upon his estate, it was the power of making presents of game to his friends. Some poulterers having been prosecuted, stated, that they could not have incurred the penalties had they not customers, who would be their customers only so long as they could supply them with game. His bill, therefore, by prohibiting the purchase of game, would protect this helpless class of persons.

Mr Curwen, however, opposed the measure with the same vehemence as ever, observing, "the misery and suffering produced by the game-laws call imperiously on the legislature to remove them from our statutes, rather than to adopt any measure which may increase their number. The cure of this evil will require a very different remedy. I would entreat the House to pause before it is prevailed on to take any step calculated to extend more widely the crime and wretched-

ness produced by the laws in question. The House cannot have forgotten, that it was in proof two sessions ago, by the papers on your table, that 1200 persons were immured, in various parts of the kingdom, for offences against the game-laws. Did not this disclosure shock every unprejudiced man within and without the walls of this House?—The legal criminality and fatal consequences which spring from these offences call loudly for prevention. The ruin and distress that overwhelm so many poor families, are perhaps the least of their calamitous effects. The contamination of morals, contracted in prisons, leads to the commission of every species of crime.—Does any one suppose, that poaching can be suppressed whilst the game-laws remain as they are? It is hopeless to look for obedience to laws, which, by a great proportion of the higher orders, as well as by the whole of the subordinate ranks in society, are regarded as oppressive, tyrannical, and unjust—trenching on the rights of the many to favour the few. The poacher, however obnoxious to the sportsman, suffers nothing in moral estimation while his depredations are exclusively confined to game—no turpitude is attached to the offence—public opinion holds the game-laws in detestation. Nothing, in my opinion, would contribute more to the comfort of country gentlemen than a total and radical change in the game-laws. The temptation which will be held out by the wealthy, for procuring that which is deemed a luxury, will defeat any penalty—any punishment we can inflict. If the bill should work at all, it would be highly injurious to the country.—Believing, as I do, that it will be either nugatory, or will give greater facilities to the conviction of inferior offenders only—in either view I am hostile to the measure: I would not consent, for

one, to any step that could have the least tendency to perpetuate the game-laws.”

Sir S. Romilly, however, said, he could not see how, when the House refused to make it legal to sell game, they could hesitate to punish the buying of game. It would be strange, when it was not legal to sell game, that it should be legal to buy game. What would be said if they were to punish persons guilty of theft, and yet declare the receivers of stolen goods to be perfectly innocent? If no persons bought game, no persons would sell game. Under the system of the game-laws, it was not considered any violation of honour or morality to buy the game,—and as to the procurers and sellers, their punishment was felt not as a disgrace, but excited sympathy among the people at large. Among the higher orders, the laws were violated with little compunction, to obtain the desired luxury, though the utmost rigour in imposing penalties was exercised against the lower.

The second reading was carried by a majority of 116 to 21.

The bill was introduced into the House of Peers by the Marquis of Caernarvon, who observed, that without approving the principle of the game-laws, he considered it certain, that no means could be found of thoroughly remedying them; and thought that, in their present state, they ought to be made consistent with themselves. Their penalties ought to attach equally to the rich and the poor. Lord Lauderdale, however, observed, the bill was so framed, as to render it impossible that any evidence of the commission of the offence should be obtained. How could there be any evidence of the offence, if the buyer and seller were both equally guilty in the eye of the law? The unnatural state of the game-laws pro-

duced a constant desire to violate them. In legislating, the first thing always to be considered was, whether the measure proposed was practicable. Did not their Lordships know that there was in this country a numerous body of funded proprietors as rich as landed proprietors? These men had no manorial rights; but they possessed wealth, which gave them the command of every thing they could desire for their table; and with what they desired they would, doubtless, be supplied, in spite of all the laws which could be enacted. It was absurd to suppose that men of great fortune could be prevented by laws from obtaining any of the luxuries of life.—The Lord Chancellor was of the same opinion; but Earl Grosvenor, disapproving of the game-laws, thought he must in the interim vote for the present bill, on the principle, that the receiver was as bad as the thief. Lord Holland also supported the bill, which was carried by a majority of 93 to 9.

Mr Ogle brought in a bill for the suppression of gambling. London, he said, contained not less than a thousand gambling-houses, from which the most dreadful mischiefs arose. As the main object of the bill was to apply the system of licenses to gambling-houses, which at present are altogether illegal, it was observed to have rather a tendency to extend the evil; and Mr Ogle at length agreed to withdraw it.

Under this head we may with propriety introduce Mr Michael Angelo Taylor's motion respecting the Assizes in the Northern Circuits. It was brought forward on the 17th February. He said, every member of the House knew, that, throughout the three kingdoms, with the exception of the counties of Cumberland, Northumberland, Durham, and the town and county of Newcastle-upon-Tyne, there

were regular gaol-deliveries twice a-year, the courts of assize, and sittings at Nisi Prius, were held twice a-year in the different counties, with the exception of those mentioned. Why those counties were deprived of the privileges enjoyed by the rest of the country, he was at a loss to determine. Those counties were as rich, as well-peopled, and as deserving of protection, as any other part of the kingdom. It was well-known, that in the northern counties many persons had been in prison for the last three months, to take their trial, not at the next spring, but at the next summer-assizes. Thus a number of persons were to be confined from nine to eleven months, before their guilt or innocence could be ascertained. In cases where, for instance, a landlord had occasion to eject a tenant, if any objection were taken to the judgment of the Court, and a new trial was granted, two years at least would elapse before the question could be decided. Though the population of these kingdoms was double the population in the reign of Queen Elizabeth, and though the property of the country was more than fourfold what it was then, yet there was no farther provision made for the distribution of justice at present than there was at that period. There were twelve judges then, and at present there were no more. No provision had been made for the increase of population, and consequently none for the increase of crime. Though millions were squandered away on trifles, the substantial parts of the constitution were left unprovided for. The honourable gentleman then explained his plan. There was, he observed, an officer belonging to the Court of Exchequer, who might be made a most useful person to promote one of the objects he had in view. This officer was the Cursitor Baron. It was a si-

tuation usually given to persons who had retired from legal or judicial situations abroad, and was almost always filled by men of talent. At present, the duty of the Cursitor Baron was little more than to receive the sheriffs when they came down, and to examine their accounts. He thought, that if this officer were invested with the power of a judge, not to sit in Bank, but to preside at the Old Bailey, and go the circuit, it would most materially contribute to the prompt administration of justice, and would, at the same time, be attended with very little additional expence. The salary of the Cursitor Baron was, he believed, at present 1000*l.* a-year; which, if raised to the usual salary given to the puisne judges, would not be considered as a great expence, when the advantages to result from it were taken into consideration. He would also propose, that an officer similar to the Cursitor Baron should be attached to the Court of King's Bench, with power, save that of sitting in Bank, to that of the other judges;—that his duty should be to take bail, sit at Nisi Prius, attend at the Old Bailey, and go the circuit,—and also to hear cases of Nisi Prius in term. The two officers he had mentioned would be able to take a considerable portion of the trouble on themselves, and would in turn relieve the judges from the labours of the circuits. The expence, he should again press upon the House, would be trifling, when compared with the important advantages which would result from it.

The Attorney-General objected to the motion, because he thought it brought forward too suddenly alterations which required the most serious consideration before they were made, and because the honourable mover had shewn no grounds to prove that any emergency existed which would render the proposed alteration immedi-

ately necessary. As the motion then before the House went suddenly to alter a long and established mode of administering justice, and that too without any sufficient cause being adduced, he thought it his duty to move the previous question. Sir C. Monck, however, supported the motion; and Lord Castlereagh, though he thought the House was not prepared to enter into the subject, said that it would be premature to address the throne on so important a point as a change in the constitution of Westminster Hall; yet he did not mean to dissent from the proposition, that it was proper some alteration should be made. He did not mean to imply that it was not desirable that there should be an administration of justice in the parts which the honourable gentleman had mentioned, twice a-year instead of once; but he thought that, instead of the motion he had made, if he had moved for an inquiry, it might have been preferable. Mr Taylor had jumped to his conclusion at the very outset; and by adopting the previous question, they would not be neglecting the motion, but merely disapproving the manner in which it had been put.—Mr Taylor then consented to withdraw his motion, and to move, next day, for a committee of inquiry, which was then agreed to.

On the 28th April, Mr Taylor brought up the Report of the Committee on the Northern Circuit. It fully confirmed his representations, stating that the business of the assizes in this part of the kingdom was great and yearly increasing; that there appeared no reason why there should be only one circuit there, while there were two in the rest of the kingdom. Great inconvenience and delay thence arose; so that, by way of remedy, the plan of bringing actions in other counties was often resorted to. On consider-

ing these circumstances, it appeared desirable, that the present Northern Circuit should be divided into two separate circuits, one comprehending Westmoreland, Lancaster, and Cumberland; the other, York, Northumberland, and Durham.

Mr Taylor being thus fortified by the opinion of the committee, brought forward, on the 26th May, a motion for an address to the Prince Regent, humbly requesting, that the benefit of an assize twice in the year should be extended to the northern counties, and engaging to make good any expence which might be necessary for this purpose. Lord Castlereagh, however, observed, that any change in the administration of justice was too serious a matter to be made precipitately; that admitting the evil to exist, great difference of opinion prevailed as to the remedy which might be most advantageously applied to it. Time was necessary for consideration; and he begged the honourable gentleman in the meantime to withdraw his motion. Mr Brougham concurred in this recommendation. He thought that such a measure should receive the concurrence of all the three branches of the legislature; that the judges ought to be consulted, and that time for consideration was absolutely necessary. Mr Taylor complained that he had been formerly told that the House should wait till the facts had been stated; the facts had now come, and he was again desired to wait till some other opportunity should occur. Did the noble Lord and the honourable gentleman opposite recollect, that if they adjourned this question, the next circuit would be left exposed to the same evils and inconveniences, the same denial of justice? He finally, however, agreed to withdraw his motion.

On the 2d of June, Lord Erskine brought forward, in the House of

Lords, a proposition of some importance, having for its object to prevent arrest in cases of libel before the finding of an indictment. He had evidently in view at once the case of Mr Hone, and the circular letter of Lord Sidmouth. His Lordship began by expressing his surprise, that on the first mention of this bill, a decisive opinion against it should have been given by the Lord Chancellor, in a manner so opposite to his usual character. By nature a man of talents, from education a scholar, and bred from his very youth in the study and experience of all its possible transactions, nobody could be better qualified to decide in that forum with the same rapidity as he did the other day *here* on the subject now before us—yet how often does he *there* pause, and re-pause, consider, and re-consider—and why? From the justest and most amiable of all motives—He even runs the risk of sometimes appearing undecided and dilatory, rather than mistake the rights of the meanest individuals, in the most inconsiderable concerns, whose interests are in his hands. He denied having any wish to protect those who made a trade of defaming the government. “I consider, and always have considered, a systematic defamation of public measures and public men as a very great calamity. Libels of that description must always more or less exist in a free country, but they can only be kept under and rendered odious by the determined support in Parliament of the acknowledged principles of the constitution, and by a liberal and manly confidence in the good sense and affections of the people.” He admitted that there were depictions in favour of the practice arraigned; but, said he, “I have always had a feverish jealousy upon this subject, and a great horror of that kind of law commencing in acknowledged usurpation, but growing

up at last into such practice, by incautious decisions, and negligence in parliamentary revision, as to make it dangerous to root it out without the direct authority of the statute. When open to two constructions the Courts must indeed decide, but when open to *one only* the statute is then a solemn record of the law, which ought always to be conclusive authority in the teeth of any number of decisions which may oppose it." His Lordship then made a survey of the most eminent law authorities, endeavouring to prove that they were in his favour upon this point. He condemned the conduct of ministers in prosecuting writings on the pretence of irreligion, when the real motive consisted in the attacks contained in them on their own measures. "The government of God, and the sacred truths which support it, cannot be undermined or overthrown; but the government of man must be supported, or it will fall. No man can hold in higher detestation than I do any irreverence to the sacred Scriptures, nor to the sublime offices of our church, which are built upon them throughout; but unless the law had declared such publications to be specifically libels, it became difficult to maintain an intention to ridicule them, when the obvious and palpable intention was, to ridicule the political state. I have no difficulty in saying, *as a general observation*, that I consider systematic and indecent attacks upon Parliament and the administration of government or law as great evils and calamities. All abuses may be exposed, and all the principles of our constitution vindicated, without even the risk of the author's being questioned as criminal. Libels, however, of this description have always existed, and ever must, more or less, in a free country; but the safest way to put them down in England is, to render them odious and disgusting to an enlightened and af-

fectionate people, by constantly adhering to the free principles of our constitution."

The Lord Chancellor expressed a hope that his noble friend would not persist in pressing the measure, at least in its present form; for though it was evident from the arguments advanced, that his intension was to limit its operation to the case of libels, its enactments would extend to prevent arrests before conviction in all cases whatever. The House would do well to consider seriously before they agreed to a law declaratory upon this subject, without taking any opinion of the judges to assist them. That House, which was the dernier, would not surely resort in all cases of law to make a new enactment without first having some question argued in the courts below to shew the necessity of their interposition. When the House found, that between the time of Queen Anne and the present period, there had been 128 cases in which the judges in the Court of King's Bench, as magistrates, had held to bail in cases of libel, would their Lordships at once declare the practice illegal, and proceed to declare against it? The libels to which his noble and learned friend had referred, were the grossest he had ever seen. Their blasphemy was in itself sufficient to constitute them libels. Lord Hardwicke, when Attorney-General, had maintained the same doctrine. He had declared, that the Christian religion was a part of the law of the land, and that an attack upon it was therefore to be regarded in the nature of a libel. The bill which had been introduced by his noble and learned friend had always appeared to him to be open to this objection, that it was impossible to say, whether in any two counties in England, they could get the respective juries to agree in opinion as to what was libel and what was not. He earnestly hoped his noble and

learned friend would not persist in calling upon their lordships to adopt such a measure as this without some better reasons than had yet been urged in its support.

The motion of Lord Erskine was

supported by Earl Grey and Lord Holland, and opposed by the Earl of Liverpool. On the vote being called, it was negatived by a majority of thirty-one against thirteen.

## CHAPTER VI.

### PUBLIC INSTRUCTION.

*Zeal of the present Age for diffusing Knowledge.—Committee on the Education of the Poor.—Mr Brougham's Bill of Inquiry into the Abuse of Charitable Funds.—Alterations in the Lords.—Bill for the Erection of New Churches—in the Commons—in the Lords.*

THE present age may justly boast of the great exertions made by it for the diffusion of knowledge, even among the lowest classes of society. With the exception of Scotland, and a few of the protestant states in the north of Germany, the benefits of the art of printing did not, till lately, exist for the great mass of the people. The expence of teaching, upon the old system, even the elements of reading, was nearly beyond their reach. The methods of Lancaster and Bell, with the efforts of the extensive associations and establishments, had done much to place the first principles of knowledge within the reach even of the humblest individuals. Still something was wanting, on a national scale, to comprehend districts and objects that lay beyond the reach of voluntary exertion. Some parliamentary measure was wanting; some aid from the general funds of the society, not indeed to defray the whole expence, the effects of which would have been altogether injurious, but to facilitate the first establishment, and reduce the cost to an easy and tempting rate. Parliament, however, very judiciously

began its labours with an inquiry into the present state of education throughout the country, and the funds already existing, applicable to that object. This inquiry, after being continued through two successive sessions, was expected to be brought to a close in the course of the one now sitting.

In the investigation of the above important subject, Mr Brougham took the lead, with those comprehensive and enlightened views, and with that eager and impetuous activity, which always characterize his public proceeding. On the 5th March, he moved the re-appointment of the committee which had carried in the inquiry. At the same time, he gave some outline of the views, which, from previous researches, they had been led to entertain. They were of opinion that assistance ought to be given by the public towards the erection of schools in different places where it might be deemed advisable to have them, but that the principle of granting a permanent income either to government or to any society, for the support of schools, ought not to be sanctioned; that where there was a want of the accommodation of school-



houses and houses for teachers, means for supplying that want ought to be furnished by the public, either by way of loan, or otherwise, according to circumstances. It was the opinion of the committee, that a moderate sum of money was all that would be wanted for this purpose. In Ireland, seldom less than 40,000*l.* a-year had been voted for the charter schools; yet, either from carelessness or misapplication, these schools were productive of very little good. They received 40,000*l.* from the public, and from the bequests of individuals they had an income of nearly 20,000*l.* more. Their whole revenue might therefore be taken at nearly 60,000*l.* a-year. The House would be very much surprised to learn, that from this income of between 50 and 60,000*l.* a-year, not more than 2500 children were educated. Now, with an income of between 5 and 6000*l.* the Hibernian school society in London had instituted and now kept up 340 schools, while the charter schools, with an income of 60,000*l.* only kept 93 schools. The Hibernian school society educated 27,000 children, while the charter schools educated only 2500 children with nearly six times their income. There existed throughout the country large funds, which had been bequeathed by individuals for all purposes of charity—and particularly for the education of the poor. Those funds had, in many cases, been grossly misapplied; often, no doubt, from ignorance of the best method of employing them. In cases beyond the scope of the committee it had come to their knowledge, that schools richly endowed in many parts of the country, had fallen into entire disuse. For the purpose of investigating the subject, another tribunal ought to be instituted, besides a committee of the House of Commons. A committee of the House could not

transport itself from place to place; its powers were limited; and to bring witnesses from different places throughout the country to London, would be attended with great inconvenience and expense. If commissioners or agents were appointed for this business, one journey to the different places would do, instead of bringing witnesses from all the different parts to London. In many places abuses existed, of which no knowledge could be obtained till persons went to the spot. It was now two years since this matter had attracted the public attention, and hardly a day had passed during that time in which he had not received, from one place or other, an account of some misapplication—of some schools founded two hundred years ago perhaps, for which purpose lands yielding a considerable revenue were bequeathed,—while in some place only a few children were taught, and in another none. It was not generally known, that the income of the funds bequeathed for this purpose amounted to between 2 and 300,000*l.* A sum like this, if fairly employed, would go a great way indeed.

Mr Peel observed, that the Irish charter schools were greatly improved since the last report in 1808. The children in the charter schools were clothed and entirely supported, as well as educated, and the average expense of each child was calculated at 14*l.* a-year.

After a short conversation, the following committee was appointed: Mr Brougham, Sir S. Romilly, Sir J. Mackintosh, Mr Bennet, Mr R. Gordon, Mr Babington, Mr Butterworth, Mr J. H. Smyth, Mr J. Smith, Mr Wilberforce, Mr Lamb, Sir W. Curtis, Sir J. Shaw, Sir F. Burdett, Mr C. Calvert, Mr Barclay, Lord Ossington, Sir R. Fergusson, Sir H. Parnell, Mr Holford, the Marquis of Tavistock, Sir T. Ackland, Mr Alderman

Atkins, Mr Wrottesley, Mr Abel Smith, Mr Abercromby, and Mr Warre.

On the 22d and 27th of April, Mr Brougham moved the committal of a bill for inquiring into the abuse of charitable funds. He again dwelt on the extensive abuses which the committee had discovered. In Berkshire, they had been assured, on good authority, that the incomes of the charitable funds had been returned at 7000*l.* a-year, while their real income was 20,000*l.* a-year, of which not more than 5000*l.* was expended in the manner directed by the benefactors. Many misrepresentations had gone abroad on the subject of this inquiry. The present was stated to be a bill which would interfere with the management of charitable funds. A more gross misrepresentation never was set afloat. It was a bill, not to interfere with the management, but with the mismanagement of charities—and that by inquiry and report. It was next stated, that the bill went to trench on private property. This was as gross a misrepresentation as the former. The fact was, that persons receiving money for charitable purposes, were, as much as any officer of the government, entrusted with public property, and had a right to account for it. The powers of the bill were not greater than those granted to the commissioners of accounts in 1781, to the commissioners of naval inquiry in 1803, and of military inquiry in 1804.—Lord Folkestone regretted the exception of the universities, and of Westminster and Winchester schools, and Mr Brougham heartily wished these learned foundations had challenged inquiry into the administration of their affairs. That venerable man, Earl St Vincent, had afforded an example on such subjects, which, whenever they were considered, it was impossible too often to press upon the attention of the House, and

to hold up to imitation. He meant his noble example in putting at the very head and front of the inquiry into the abuses in public offices, the offices of the lords commissioners of the Admiralty, he being at that time himself the first lord. The noble earl said, “let the commissioners come into his office, and examine all papers, and all persons in the office, in all departments, from the top to the bottom.” Mr Bathurst and Mr Peel, however, insisted that the universities could with no propriety be included.

On the 8th May, previous to the House going into a committee on this bill, Mr Brougham gave a full and interesting view of its nature and objects. “In considering the want of education among the poorer classes of society, and the best measures for supplying it, we shall do well to regard the subject in two distinct points of view; attending, first, to the situation of the people in cities and towns of considerable size; secondly, to the circumstances of the people in small towns or villages, and in districts wholly agricultural, where hardly even a village exists. The House will soon perceive that a due attention to this division, and the diversities of situation upon which it is founded, furnishes a clue to guide us a great part of the way in our inquiries, if indeed it does not lead us to the conclusion. Now, in large towns, in those, I mean, where the population exceeds seven or eight thousand inhabitants, there exist, generally speaking, sufficiently ample means of instructing the poor; not that there is almost any town where all can at present be taught, but that the laudable exertions of individuals are directed everywhere to this object, and are daily making such progress as will in time leave nothing to be wished for. Societies are formed, or forming, of respectable and opulent persons, who, to their infinite ho-

nour, besides furnishing the necessary funds, do not begrudge what many withhold who are liberal enough of pecuniary assistance—their time, their persevering and active personal exertions. It is difficult to describe such conduct in terms of adequate praise: nor is it confined to the metropolis and the larger cities. We find hardly a town of any note in which some association of this sort has not been formed, and there can be no doubt, that a sufficient number of schools to educate all the poor of such populous places may be maintained by the voluntary contributions of such bodies, if the obstacle is removed which the first expense of the undertakings, the providing school-houses, occasions. Where so powerful a disposition to carry on this good work exists in the community itself, we should be very careful how we interfere with it by any legislative provisions. The greatest danger is to be apprehended of drying up those sources of private charity, by an unguarded interposition of the public authority. The associations to which I refer, act for the poor, both as benefactors, as advocates, and as trustees. They contribute themselves; they appeal to the community through the usual channels of private solicitation, of public meetings, and of the press; they raise sums by donations to begin the undertakings, and by annual subscription to meet the current expenses; they manage the expenditure, for the most part, with a degree of economy, which I am afraid can never be hoped for in the distribution of any portion of the state revenue. The line traced out for Parliament with regard to the populous districts, by all the evidence given to the committee, seems sufficiently plain. It should confine its assistance to the first cost of the establishments, and leave the yearly ex-

penses to be defrayed in every case by the private patrons. When we turn from the considerable towns and populous districts, to parts of the country more thinly peopled, we perceive a very different state of things, in all but one essential particular, in which every quarter of the kingdom seems to agree. The means of instruction are scanty; there is little reason to look for their increase, but the poor are everywhere anxious for education. From the largest cities to the most solitary villages—to remote districts, where the inhabitants lived dispersed, without even a hamlet to gather them together: whether in the busiest haunts of men, the seats of refinement and civility, where the general diffusion of knowledge, and the experience of its advantages or pleasures might be expected to stamp a high value on it in all men's eyes; or in the distant tracts of country, frequented by men barely civilized, and acquainted with the blessings of education rather by report than observation—in every corner of the country the poor are deeply impressed with a sense of its vast importance, and willing to make any sacrifice within the bounds of possibility to attain this object of their ardent and steady desire." In these remote and thinly inhabited districts, there seemed no means of attaining the object except the parish school system, so long adopted in Scotland, and with the happiest effects. "The experience of above a century has borne irresistible testimony to the salutary tendency of this scheme. The expense attending it is moderate. The school-house is a building little better than a barn, which in Scotland may cost 40*l.* or 50*l.*; and in England may be erected for 100*l.* or 150*l.* The yearly salary of the master, originally from 5*l.* to 11*l.*, was raised in 1803 to its present

amount of 16*l.* to 22*l.*\* For sums no greater than these, expended in every parish, the whole of Scotland enjoys the inestimable benefits of an education, which extends to the poorest classes of her inhabitants, and, in its effects, confers a thousand advantages upon the highest orders in the state. The system is efficient as cheap—extensive as useful—permanent as salutary."

After these general views, Mr Brougham proceeded to the more immediate object of the bill, which was to inquire into the state and management of charitable funds.\* The returns, in pursuance to the 26th Geo. III., commonly called Mr Gilbert's act, are known to be exceedingly defective; yet they make the yearly income of charities about 48,000*l.* from money, and 210,000*l.* from land in the year 1788. It appears from evidence laid before the committee, that in one County, Berkshire, only a third part of the funds was returned. If we suppose this to be the average deficiency in the whole returns, it will follow that the whole income actually received from the charities was between 7 and 800,000*l.* a-year. There were also many circumstances connected with the negligence, or the want of due power vested in the hands of trustees, which tended to keep the income much below the amount to which it might be raised. A parliamentary inquiry had even been recommended by the report of 1786-7 in consequence of the returns under Mr Gilbert's act. Mr Brougham then enumerated many instances of gross abuse and misapplication. It was said indeed that the injured might resort to the Court of Chancery. "Come, all ye who labour

under the burthen, of fraud or oppression—enter the eternal gates of the Court of Chancery! True, you are the poor of the land—the grievance you complain of has robbed you of every thing; but penniless though you are, you are not remediless—you have only to file a bill in equity, and the matter will take its course! Why, if there were nothing in the reality, there is something in the name of the Court of Chancery that appals the imagination, and strikes terror into the unlearned mind. I recollect a saying of a very great man in the Court of King's-Bench. The judge having said of his client, 'Let him go into a court of equity.' Mr Erskine answered, in an artless tone of voice, which made Westminster-hall ring with laughter, 'Would your Lordships send a fellow-creature there?'" Mr Brougham could not conclude without observing, that many abuses exist without blame being imputed to any one. Neglects may be handed down, as it were, from father to son, until the right course of administration is forgotten. A person may hold funds as his own which some remote ancestor diverted from their proper object, and for many years the existence of the misappropriation may have been unsuspected. Mr Brougham finally observed: "In the history of this country, public or domestic, I know of no feature more touching than the sight of those who every day before our eyes are seen devoting their fortunes, their time, their labour, their health, to offices of benevolence and mercy. How many persons do I myself know, to whom it is only necessary to say—there are men without employment—children uneducated—sufferers in prison—victims

\* By 43 Geo. III. c. 54. More accurately, the old stipends were from 5*l.* 11*s.* 1*d.* to 11*l.* 2*s.* 2*d.*; the new stipends are from 16*l.* 13*s.* 3*d.* to 22*l.* 4*s.* 4*d.* and they are to be corrected every 25 years, according to the price of grain.

—wretches pining in want—  
 highway they will abandon all  
 other pursuits, as if they themselves  
 had not large families to provide for,  
 and toil for days and for nights, stolen  
 from their own most necessary avoca-  
 tions, to feed the hungry, clothe the  
 naked, and shed upon the children of  
 the poor that inestimable blessing of  
 education, which alone gave themselves  
 the wish and the power to relieve their  
 fellow-men! I survey this picture with  
 inexpressible pleasure, and the rather  
 because it is a glory peculiar to Eng-  
 land.

Lord Castlereagh said, that after  
 the speech, so interesting and so full  
 of information, which the House had  
 heard from the honourable and learned  
 gentleman, he should not long occupy  
 its attention. He censured the remarks  
 on the Court of Chancery as invidious,  
 observing that the power of deciding  
 quickly, and that of deciding equita-  
 bly, were difficult to combine. He  
 went along with the honourable and  
 learned gentleman in thinking that a  
 commission would do great good.  
 They would do good, in the first  
 place, by calling the attention of Par-  
 liament to the management of funds  
 for education. Individuals who were  
 interested must be impelled to dili-  
 gent inquiry and active vigilance, by  
 the knowledge that the disposal of  
 the charities which they superintended  
 was under the consideration of Par-  
 liament. The nature and the amount  
 of the funds would thus be ascertain-  
 ed and directed to their proper object.  
 He went along with the honourable  
 and learned gentleman in thinking that  
 those funds were in some respects pub-  
 lic property; at least they were public  
 property so far as that the laws ought  
 to attend to the management; but as  
 they must have been appropriated to  
 specific objects by the original donors,  
 they ought not to be diverted from  
 those objects. He suggested that

men of rank and consideration should  
 form part of the commission, who,  
 though they should not enter into the  
 laborious parts, would be aiding with  
 their counsel and authority. A divi-  
 sion took place on the proposition by  
 Mr Robinson that Harrow school  
 should be exempted, which was nega-  
 tived by 53 to 30.

The bill now passed the Commons,  
 and on the 27th May was introduced  
 into the House of Lords by the Earl  
 of Rosslyn, who recapitulated the  
 leading arguments which had been  
 used in its support. The Lord Chan-  
 cellor stated, that he felt himself bound  
 to give the bill his decided negative, as  
 more detrimental to the interests of  
 charities than any proceeding that  
 could be devised. He, and Sir Wil-  
 liam Grant had made the utmost ex-  
 ertion to remedy these evils, but had  
 found the obstacles so insurmountable,  
 that they were obliged to desist. If  
 the legislature did not protect to the  
 utmost all honorary trustees, in the  
 execution of their trusts—if they were  
 to be exposed to suspicious and vexa-  
 tious inquiries into all the details of  
 their duty—not one honourable man  
 would be found in the kingdom to  
 take upon himself the responsibility  
 of a charitable trust. He should be  
 glad to know where was the power of  
 Parliament to interpose between the  
 negligent schoolmasters and their schol-  
 ars, even supposing they were negli-  
 gent; but the fact was, that a foolish  
 fashion prevailed of sending boys by  
 dozens to private seminaries, so that  
 the endowed grammar-schools in coun-  
 try towns were deserted, and the de-  
 ficiency of pupils was unfairly attri-  
 buted to the misconduct of masters.  
 The 4000*l.* set apart in the bill would  
 not pay the expenses of one-fortieth  
 of the inquiries that must be institu-  
 ted; for there was scarcely a parish  
 in the kingdom that had not some cha-  
 ritable establishment or other. These

important trusts were generally gratuitously discharged, and if a more temperate measure than this was not provided, no man would in future take upon himself such arduous and hazardous duties. Lord Redesdale also said, he had conversed with many trustees, who said that they would not have accepted of the trust, if they had been aware of such a measure as this. If such a bill passed, trustees would consist only of persons of great zeal and of little discretion. Lord Holland, however, strongly supported the bill, and Lord Carnarvon observed, that unless the House were prepared to remit all preliminary inquiry, and to receive only specific bills for every abuse, he could conceive no reason, and he had heard no reason, why the bill should not be committed. It might come out of the committee a bill much improved, and certainly a bill calculated to do infinite good. The commitment of the bill was carried by a majority of 10 to 8.

The chief alterations made in the committee were, that the inquiry should be confined to charitable abuses connected with education, that the commissioners should not have the power to fine or commit, and that their inquiries should not extend to establishments which had special visitors. The Chancellor then stated, that he considered the bill as materially improved, and it passed without serious opposition.

On the 3d June, Mr Brougham presented to the House the Report of the Committee on Education, which is inserted in the Appendix. He then animadverted with peculiar asperity on the changes which his bill had undergone in passing through the Upper House. On the restriction of inquiry to subjects connected with education, he observed, if commissioners were to be sent round the country for the purpose of inquiring into the application

of the funds of the charities for education—if they were enabled to call for the attendance of witnesses—if they could demand the production of documents, and prosecute inquiries into abuses as to education, it seemed to him very natural that they should also avail themselves of the opportunity of inquiring into other abuses admitted by all to prevail, although existing in charities not connected with education. Those superior persons, however, who sat in the upper regions of legislation, and who, from their elevated height, were better qualified to take a more comprehensive view of human affairs, thought otherwise, and struck out that part of the bill. What! though the very steps these commissioners were to adopt in their investigation of abuses as to education might lead to a just suspicion of similar abuses in other charities—though the scene for such respective inquiries was the same—though the same witnesses might be examined as to the application of the funds of respective charities—were they to be precluded by a positive provision of law from extending their research? Yes! The House must not expect those abuses to be examined. The mouth of any witness about to afford evidence of such abuses must be stopped, in virtue of the bill as it was now returned to that House. He represented also the anomalous situation of parliamentary commissioners sent to make inquiries without any penalty by which to enforce attendance, or the production of papers—allowed to collect only volunteer evidence from persons whose interest was often inimical to disclosure. With regard to the exception of charities having special visitors, he would pledge himself to prove, that of all the charities in which abuses exist, none were greater or grosser than in those where special visitors were appointed. Indeed he could say positively, that the grossest case

of abuse that came before the committee, was of a charity where special visitors have been appointed, but who had never attended to their duties for twenty years. With regard to Chancery, he produced fresh instances of persons, who, by having recourse to the Court, had ruined themselves by it, without obtaining any redress. He pronounced the highest panegyric on the present Lord Chancellor, who, in his opinion, was by far the man of the most wonderful legal learning that had for ages appeared in any of our courts. This was not merely the expression of his own unfeigned reverence and admiration of the great qualities by which that noble and learned Lord was distinguished—he knew he spoke the sentiments of all the professional common lawyers, as well as chancery lawyers. That the learning and subtlety of the noble and learned Lord were unexampled, was the opinion from one end of Westminster Hall to the other. He must add, that a more kindly disposed judge to all the professional men who practised in this court never perhaps existed. But notwithstanding all these good qualities on the part of the noble and learned Lord, it was his (Mr Brougham's) duty to say, that there was something in the Court of Chancery that set at defiance all calculation of cost and time, and rendered the celebrated irony of Swift, when he made Gulliver tell the worthy Hymnham, his master, (what he says, his honour found it hard to conceive,) that his father had been wholly ruined by the misfortune of having gained a chancery suit, with full costs, not only not an exaggeration, but a strictly correct description of the fact. He trusted, however, that mangled as the bill had been, it would still be rendered effective by the exertions of the commissioners, seconded by those of the committee, which he trusted would be re-appointed next session. He

made an attempt, however, to evade the alterations of the House of Peers, by moving an address to the Prince Regent, soliciting the formation of a commission of inquiry on the original plan.

Lord Castlereagh considered Mr Brougham as by no means justified in the charges advanced by him against the Court of Chancery. He could not conceive any hope more illusory than that held out by the honourable and learned gentleman, that the commission would be enabled to execute its task in a short time, or without occasioning those evils, the existence of which in the Court of Chancery the honourable and learned gentleman had described with so much exaggeration. Could that House stand the criterion which the honourable and learned gentleman had applied to the Court of Chancery? Were the Order book taken, and the various delays which the pressure of business might occasion in any particular motion to be noticed, it might, by such a partial view of the subject, be frequently alleged, that the House of Commons postponed for months, very wise and important measures. Could that be urged as an imputation on the ability or attention of the House of Commons to its duties? He certainly knew it could not, as the motives for such postponement could be easily explained, as no doubt could those cases mentioned by the honourable and learned member with respect to the Court of Chancery, and he hoped that those gentlemen who were more acquainted with that Court than he could be supposed to be, would defend it from such unmerited imputations. The honourable and learned gentleman had made an unfair attempt to run down the character of the legal institutions of the country. Nothing, in his opinion, could be a more imprudent course for the House to pursue, than that which had been

recommended by the honourable and learned gentleman, who called on them to do that by address to the Crown, to which the other branch of the legislature had refused to give its sanction as a legislative measure. He considered this attempt calculated to produce such a collision between the two Houses, as must detract from the respectability of the proceedings of Parliament. Really, when he looked into the extent of the honourable and learned gentleman's bill, as it was sent up to the other House, he was not surprised that the Lords should not be prepared at once to assent to the whole of it. There were eleven thousand parishes in England and Wales, and there could not be less than between forty and fifty thousand charitable institutions included in the bill as it originally stood. He really thought that in the bill, as now modified, there was sufficient to occupy the commissioners till another session. He was sure, that an inquiry, to be useful, must be pursued in the spirit of temper and moderation; and if it were pursued in such a way, every honest man must wish to see the object of it accomplished.

Sir Samuel Romilly most sincerely thought, that in such a case the remedy which the Court of Chancery was capable of affording was not an adequate remedy, and that it was impossible, through the Court of Chancery, to obtain redress for the abuses of charitable institutions. There were expedients of delay peculiar to that Court, which, if resorted to, as they naturally would be in such a case, would throw such obstacles in the way of obtaining redress as few would be disposed to encounter. And when he considered that an information in the Court of Chancery would be filed by some stranger, who had not, like a suitor in Chancery, an interest in the result of the decision, it could not be

expected that such a person would be disposed to put himself to the great expence which this would occasion, for the public benefit.

After a conversation of some length, the proposed address was negatived by fifty-four to twenty-nine. Mr Brougham then moved an address for an inquiry into charities in general, which was negatived without a division. Mr Brougham then declared his intention to acquiesce from necessity in the Lords' amendments, but his unwillingness to move them himself;—which office was done for him by Lord Castlereagh; and they were of course carried.

Another measure, destined for the permanent instruction of the adult classes of society, formed one of the leading measures of administration during the present year; and, notwithstanding the inconvenient amount of expenditure which it involved, met with general approbation. In a rapidly progressive state of society, many most important objects, in themselves stationary, are subject to be left greatly behind. It seems scarcely credible, considering the increase of population, and the progress of the country in every respect, since the reign of Queen Anne, that except an abortive attempt at that very time, no addition should have been made to the places of worship belonging to the established church. This want was the more felt from no adaptation having taken place to the local changes of population. In some old and early endowed towns, there was even a superfluity of churches; but in the manufacturing places, which, in the course of the last century, have risen so rapidly to greatness, the accommodation bore scarcely any proportion whatever to the number of people. A remedy for this deficiency had been for some time in contemplation, and had



particularly formed an object of attention to Mr Perceval; but the pressure of financial claims and difficulties had hitherto induced its postponement; and though these could not be said to be much amended, the evil appeared so urgent, as to admit no longer of delay. A proposition for this purpose was therefore announced in the speech of the Prince Regent, and, on the 16th March, it was introduced by the Chancellor of the Exchequer to the consideration of the House.

Mr Vansittart, after some preliminary observations, stated the substance of several documents which the Prince Regent had entrusted him to lay upon the table of the House. The Parliamentary accounts, No. I., which comprised only those parishes which contain at least 2000 persons, and in which the places of worship are insufficient to accommodate one half of the inhabitants, would show, that in the diocese of London there were eighty parishes of that description, containing 930,337 souls, and giving an average of 11,629 to a parish;—in that of Winchester the average was 8789;—in that of Chester 8195;—while in that of Oxford it was no more than 2422; so that the proportionate population of parishes in the diocese of London to those of the diocese of Oxford, was, as more than four to one. From the account he had extracted a list of twenty-seven parishes, in which the deficiency was most enormous—the excess of the inhabitants beyond the means of accommodation in the churches exceeded 20,000 in each. Of these, sixteen were in or about London, and eleven in great provincial towns. In three of them, the excess in each was above 50,000 souls;—in four more, from 40,000 to 50,000;—in eight from 30,000 to 40,000; and in the remaining twelve, from 20,000 to 30,000. In Liverpool, out of 94,378 inhabitants, 21,000 only could

be accommodated in the churches, leaving a deficiency of 73,376;—in Manchester, of 79,459, only 10,950, leaving 68,509; and in Mary-le-bone, of 75,624, no more than 4700, leaving 66,924 without the means of accommodation. It thus appeared, that in three parishes only, there were near 210,000 inhabitants who could not obtain access to their churches. He admitted, that in the actual population of a parish, a large allowance must be made for those whom tender age, infirmity, or necessary domestic avocations, detained at home; so that he should consider a parish not very ill supplied if a third of its inhabitants could find accommodation. If this were not the case, the deficiency in the larger parishes would appear so enormous, and the expence of providing any adequate remedy so immense, that he could hardly have the courage to propose to Parliament to undertake so hopeless a task. Besides the impossibility in many parishes of a great part of the inhabitants attending divine service, there were many other most important functions of his sacred office, which it was impossible for any clergyman, however zealous and laborious, adequately to discharge towards a population of 40,000 or 50,000 souls, or even a much smaller number. He might instance (as Mr Yates has most forcibly done) the sacrament of the Lord's Supper, and the rights of baptism, burial, and marriage. How was it possible for those ordinances to be celebrated in the solemn and impressive manner which their serious and important nature required, in the crowd and hurry unavoidably attending their perpetual and almost ceaseless repetition in such a crowded population?

Having thus pointed out the extent of the evil, he next proceeded to state the revenue proposed. He intended to propose a grant, to the extent of one million sterling, to be

raised by an issue of exchequer bills, and applied as occasion might require, under the direction of commissioners, appointed by the Crown in a manner analogous to the operations of the parliamentary commission, established last year, to give encouragement to public works. The commission was to take a general view of the wants of the whole kingdom, and in granting aid, would be regulated by a combined view of the extent and the population of the different parishes, the want of accommodation in the existing churches, and the ability of the district to bear the burthen requisite for supplying the deficiency. The public bounty ought only to be given in aid of a fair exertion on the part of the district : where the commissioners were convinced of the inability of the district to complete the undertaking of itself, they would interfere, but rather with a view to assist, than to support the whole charge. The modes by which the commissioners would affect the purposes of the act, were three-fold :—First, by the complete ecclesiastical division of parishes ; secondly, by the district division of parishes, not affecting the endowments of the present benefice ; and thirdly, by the building of parochial chapels. In one or other of these modes he hoped the requisite relief would gradually be obtained ; but it would be obvious to any one who examined the returns on the table, that the greatest exertion of parochial funds and of private liberality, co-operating with the munificence of Parliament, would be necessary to attain the object. He had already referred to the case of twenty-seven parishes, in each of which the excess of the population, above the accommodation of the churches, was above 20,000 souls. It might be estimated, that in these parishes alone, one hundred and fourteen additional churches, of dimensions sufficient to

contain nearly 2000 persons each, would be required to afford such moderate accommodation as to allow one-third of the inhabitants to attend divine worship at the same time. With a view to support the ministers serving in these chapels, it was proposed that a moderate seat-rent should be levied ; a large space at the same time being reserved as free seats. In regard to the patronage, the presentation of the new parish, or of the district church, would be vested in the patron of the original church. In the case of parochial chapels, the appointment would rest (as it now does by law) in the incumbent of the parish, who is spiritually answerable for the conduct of the whole. He believed that this arrangement would leave the general proportions of ecclesiastical patronage very much as they now exist. For instance, of the twenty-seven parishes already alluded to, he believed the patronage of four was in the Crown ; of two, in the archbishop of Canterbury ; of three, in the bishop of London ; of one, in the archdeacon of London ; of six, in colleges ; of two, in chapters or lay corporations ; in one, the incumbent was elected by parishioners ; and the remaining eight belonged to private patrons. These twenty-seven parishes would therefore afford a tolerably fair specimen of every species of parochial patronage. The Church of Scotland was admitted to stand equally in need of assistance, and to be equally entitled to parliamentary support ; but from the great difference of its forms, it could not be included in the same measure.

The only criticism upon this plan came from Sir Charles Monck, who declared his opinion, that, without some alteration in the mode of performing Divine service, the building of additional churches would be of little advantage. In those parts of the country in which the population had

increased most of late years, churches were scarce: but there were many parts of the country where the population was very large in old times, greater indeed than it was now. In Norwich, for instance, there were 39 parishes, while, by the last returns, the population was only 38,000. Was Norwich, with this ample provision of churches, a comparatively moral and religious town? He recollected that Durham had also many churches, yet the population was only from eight to 10,000; whereas Newcastle, a very large town, had not above four or five churches: But he had never heard that Durham was more remarkable for morals than Newcastle. He was unable to see why they should at once take one million, and no more. When they entered on this business, they ought to make up their minds to bear whatever was requisite.

Mr W. Smith observed on the difficulty of procuring such moral returns as were demanded by the honourable Baronet; but believed that they would be favourable to the morality of Norwich.

The resolution was agreed to without any division.

On a subsequent occasion, in answer to a question from General Thornton, the Chancellor of the Exchequer stated, that the new division of parishes was to take place for ecclesiastical only, and not for civil or secular purposes.

On the 30th April, when the House went into the committee on the bill, Sir W. Scott strongly objected to the clause which entitled twelve well-disposed persons to build a church, and appoint a minister, with the consent of the bishop, as tending to disturb the tranquillity of the church by the introduction of dogmatical sectaries, and by infringing on the rights of patrons. It was unworthy, too, in the church, to depend on private funds for its increase or support.

The Chancellor of the Exchequer urged, that these householders were to have only two presentations; and that it was important for the church to avail itself of all the aid that could be obtained from private liberality.

Mr Bathurst only consented to the clause, rather than endanger the success of the bill, and with the modification, that the majority of the subscribers should be resident.

Mr Peel thought the clause should form a separate bill, and considered it highly objectionable. What was meant by well-disposed persons, when the term was introduced into an act of Parliament? Crime was defined by law; but he never yet heard of a definition of morality in a statute. How were we to measure good dispositions, or ascertain the character of well-disposed persons, by an act of Parliament?

The clause was supported by Lord Castlereagh; notwithstanding which, on a division, it was negatived by 47 to 22.

The bill having passed the Commons, was introduced into the House of Lords by Lord Liverpool, on the 15th May. The arguments by which he supported it were similar to those already used by Mr Vansittart. In the course of his speech he observed, that to supply accommodation for the metropolis, it was proposed to build additional churches in different parishes—in Mary-le-bone 5, in Pancras 4, in St Leonard's, Shoreditch, 4, in St Matthew's, Bethnal-Green, 4, in Lambeth, 3; other parishes, which he need not enumerate, would have corresponding additions. In the country, the supply would be in a similar proportion to the present deficiency. Manchester, it was thought, would require an addition of 7 churches, Sheffield 4, Stockport 3, Birmingham 3 or 4, and so on. It was estimated, that it would afford the means of building about 100 churches without any

aid from subscriptions. But that the addition to be derived from the latter source would be very considerable, he could not doubt, when he recollected what had been done by Liverpool, where no less than 6 churches had been built by subscription. That town, which was very inconsiderable at the commencement of his present Majesty's reign, now possessed a population of 100,000, and had 14 churches.— With the addition of two more, sufficient accommodation would be afforded for its population.

Lord Holland was friendly, on the whole, to the measure; yet he must discharge the ungrateful duty of saying, that he could agree to it only under certain modifications. He thought a church so richly endowed as that of England, ought to contribute somewhat to its own support and increase. This he would propose to do, not by touching the emoluments of any living dignitary, but, according to the plan adopted in Roman Catholic countries, by suspending, for a greater or less time, those livings which could most easily be dispensed with.

To this, Lord Harrowby replied, surely the noble Lord did not think that this measure was intended for the advantage of the Church, considered with a view to its clergy. Undoubtedly it was not, but for the advantage of religion in general, and the community at large; and there was no more reason for calling on the revenues of the church, than on those of any class of society.

The Marquis of Lansdowne, while he considered the measure most indispensable, complained, that Scotland and Ireland should be made to contribute, without deriving any benefit.

Lord Liverpool replied, that a similar measure would, in due time, be extended to Scotland; and that the union of the British and Irish exche-

quers rendered it impossible to exempt the latter country, which, after all, was not in a worse condition than many counties of England.

The bill was then read a second time.

On the 20th May, when it went into a committee, Lord Holland again pressed his plan of providing for part of the expence, by a temporary sequestration of church-revenues, and instanced the Cathedral of Litchfield, the repairs of which had been provided for by the suspension of two prebends.

The Archbishop of Canterbury, Lords Liverpool and Grenville, observed, that such an arrangement, for the benefit of that particular cathedral, was quite different from a general legislative provision.

On the clause, limiting the powers of the commissioners to the building of churches, so as to afford the greatest possible accommodation to the largest number of persons, Lord Grenville expressed a doubt whether the words were sufficiently explanatory of what were the intentions of its framers. He agreed, that to afford the greatest possible accommodation to the largest number of persons, ought to be a primary principle; but whilst he deprecated all useless splendour in the building of churches, he thought it of importance, that that mode should be adopted which was best calculated to inspire devotion, and which was characteristic of the established church.

Lord Liverpool entirely agreed with the noble Baron, and conceived that such was the intention of the framers of the bill.

Lord Holland liked the literal meaning of the words of the present clause much better than the explanation of them which the two noble Lords had attempted to give.

Lord Harrowby was decidedly hostile to incurring unnecessary expence

for splendour; but he never could agree that it was intended by this bill merely to erect four walls like a barn, solely upon the principle of affording the greatest possible accommodation to the largest number of persons.

The Archbishop of Canterbury observed, if edifices were erected which departed so far from the style of ecclesiastical architecture that they might be mistaken for places devoted to another use, he conceived that one object of the present bill would be entirely

lost sight of. He was satisfied, that while their Lordships paid a due attention to the accommodation of the frequenters of the established church, in point of room, they would not neglect an adherence to that mode of building which characterised the Reformed Church of England from churches where that reform was carried too far.

The bill was passed without any alteration.

## CHAPTER VII.

### MISCELLANEOUS PROCEEDINGS OF PARLIAMENT

*Slave-Trade—Treaty with Spain—Mr Walberforce on the Treatment of Slaves.—Motions of Sir S. Romilly respecting Proceedings in Dominica, Nevis and St Christopher's.—Alien Bill—The Bank of Scotland.—Sir Francis Burdett on Parliamentary Reform—Speech of Mr Brougham—Poor Laws Amendment and Select Vestries Bill.—London Breweries.—Auction Laws.*

THE grand philanthropic object of putting a period to the traffic in slaves, had overcome all opposition in the counsels and cabinet of Britain. That power not only enforced the prohibition with strictness in her own extensive possessions, but used all her influence to induce the other powers of Europe to imitate the example. Her urgency, aided by the general influence of the sentiments of humanity, had now secured pretty general promises of co-operation. A traffic, however, in which such vast interests were embarked, and which was carried on over such an extent of distant and barbarous shores, could not be easily suppressed,—it rose, like a hydra, under accumulated blows; and only the continuance of equal efforts with those which had at first produced its proscription, could prevent it from reviving in all its energy.

On the 28th January, Lord Castlereagh laid before the House a copy of the treaty concluded with Spain on the subject of this traffic. It is inserted in the Appendix. It is there sti-

culated, that Spain not only abolishes the trade, but allows to British vessels, under certain circumstances, the power of search over such Spanish vessels as may be suspected of being engaged in it. A similar right of search is granted to Spanish, over British vessels.—In compensation for the losses sustained by the subjects of that power, in consequence of the abolition, Britain engages to pay the sum of 400,000*l*.

On the 9th February, Lord Castlereagh moved, that provision should be made for carrying this treaty into execution. He began with remarking the important progress which had been made in this great object in the course of last year. All the crowned heads of Europe, except Portugal, so far as the south of the line was concerned, had either abolished the slave-trade, or entered into stipulations for its abolition at some future period. He was assured of the satisfaction it must give the House, to find Spain, infinitely the most important of all the European powers in this view, both for local authority and extent of colonies,

stipulating for the final abolition of the trade. While Spain carried on, and protected by her trade and her flag, this traffic, both on the northern and on the southern coasts of Africa, all that France, Holland, and the other powers of Europe could do for the abolition was nugatory. There was no slave-trade now to the north of the line : it could be carried on by possibility only to the southward of the line from May 1820. The Congress at Vienna, if it had no other ground of merit or distinction, was entitled to the gratitude of mankind on this subject : for there all the great powers of Europe made a declaration which stamped the slave-trade as disgraceful, and made every state anxious to get out of it as soon as circumstances could conveniently admit of its doing so. The great evil now to be dreaded was from the illicit trade. The peril, the alarm, the violence, of the illicit trader, inflicted cruelties unknown when the more humane regular trade was concerned. In this state of the trade, more disgraceful, and more painful, circumstances occurred than before.—The illicit traffic arose out of the partial abolition, and out of the facilities that the cessation of belligerent rights, in consequence of the peace, created. It was infinitely more easy in peace than during war. With the view of remedying this evil, the powers of Europe, for the first time, he believed, in diplomatic history, gave to each other the right of visit over their merchantmen. Aware that no independent state would consent to any unjustified interference with its flag, they contracted that no visit should be made by a naval commander, without his having special instructions for that purpose ; and that detention should not take place, unless slaves were actually found on board. The power with whom the present treaty was contracted, afforded by its flag more protection to il-

licit slave-traders than any other nation. This resource was now taken from that baneful evil. Portugal also had been the first to concede the right of visit ; and a treaty with that power had been signed, fixing a period for the abolition. It was not presented, only because the ratifications had not been exchanged. Spain could not yet be expected to make the concessions it did, without some compensation.—With reference to the pecuniary compensation, amounting to 400,000*l.*, which it was stipulated by one of these treaties Spain should receive, he had to state, that so far was this from being the only motive on the part of the court of Spain, for acceding to the treaty, that the Spanish merchants at the Havannah had offered five times the amount for the privilege of still continuing it. On a former occasion, an offer had been made on the part of the British to the Spanish government, of the sum of 850,000*l.* upon the conditions contained in the treaties now concluded, together with a loan of 10,000,000 dollars, in consideration of an immediate abolition ; and this offer had been refused. Not a voice was then raised in Parliament to disapprove of this offer, as excessive or impolitic. But however that proposition might have been thought wise at the time it was made, he repeated, that it was a millstone about the necks of the British government in the late negotiation. Claims, to an immense extent, had been advanced ; and it was with great difficulty that the stipulation was reduced to the sum of 400,000*l.* He trusted that this question would not be in any degree mixed up with that of South America ; and that there would be a feeling of gratitude to Spain, for the exertion she was about to make. Spain intended not only to abolish the slave-trade as far as she was concerned, but to effect what would be in fact its complete annihilation. It was evi-

dent that it could never have been abolished but for Spain.

Sir Gilbert Heathcote, though an enemy to the slave-trade, could not help regretting that so considerable a sum of money should be voted at the present period. He was of opinion that the 400,000*l.* might be much more advantageously distributed in this country. It would furnish the means of giving to 8000 individuals the sum of 50*l.* each. Without touching on the question between Spain and America, he might say, that the revolt of the Spanish colonies in South America was notorious; that several of those colonies had established their independence; and that probably the whole of Spanish America would eventually be emancipated. What would then be the situation of Spain with reference to colonial possessions? Whether in peace or in war, the people of this country were, it seemed, to be goaded into madness by incessant demands on their pockets. It was impossible that we could thus continue to be the general paymasters of Europe. If we were to be compelled to pay money for any phantasy which might enter into the head of any monarch, he could not see how it would be possible to make the income of the country meet its annual expenditure.

Mr Wilberforce confessed his surprise at the observations of the honourable Baronet. He was persuaded that the House would think that the sum of 400,000*l.* could not be better expended than in the way proposed. As to the proposition for granting 50*l.* each to 8000 individuals in this country, the honourable Baronet forgot, that if the 400,000*l.* were not voted for the purpose under discussion, it would not be voted for any other. If it were divided among the whole population of the empire, it would only be twopence halfpenny per man. As one most seriously interested in the

abolition of the slave-trade, he must say, that he thought the noble Lord entitled to his warmest gratitude, for the efforts which he had made during a long course of diplomatic attention to the subject, and for the successful issue to which he had eventually brought those efforts. He was sanguine enough to believe, that he should himself see this country beginning to derive the greatest advantages from its intercourse with a people no longer classed with the beasts of the field, but invested with the moral dignity that was the undoubted attribute of all human beings. At that very moment, there was on the coast of Africa a free community of from 10 to 12,000 men, chiefly Africans, living under the influence of the British law, and advancing rapidly in the path of civilization. It would be an interesting, and striking, and glorious scene, if we should form a connexion with the interior, which would more than compensate for all the trouble and expence of our exertions.

Sir Oswald Mosley made a speech somewhat akin to that of Sir Gilbert Heathcote.

Sir James Mackintosh, after hearing such opinions from two independent country gentlemen, could no longer think of giving a silent vote. He concurred with them entirely in their zeal for economy. He had the same opinion of the faith of the Spanish government, and the same feelings for the people of South America. If he said no more on these subjects on the present occasion, he must protest against his silence being imputed to lukewarmness or negligence. It arose from his deep conviction, that the abolition of the slave-trade was the most important question which could be discussed in the House of Commons, — a question to which every other object, however interesting or important, ought for the time to yield. Both his



honourable friends had overlooked the most important, perhaps the only very important, part of this treaty. It was not only a treaty of stipulation, but a treaty of regulation. The right of searching, of detaining, and of bringing in for condemnation, all Spanish ships detected in the crime of slave-trading, ensured the performance of the engagement. Without the right of search, all promises to abolish were illusory. The right of search was practical abolition. It was obvious, that the right of search must be reciprocal. For himself, he felt a pride in the British flag being, for this object alone, subjected to search by foreign ships. He thought it a great and striking proof of magnanimity, that the darling point of honour of our country, the British flag itself, which "for a thousand years had braved the battle and the breeze,"—which had never been lowered to an enemy,—which had defied confederacies of nations,—to which we had clung closer and closer as the tempest roared around us,—the principle of our hope and safety, as well as of our glory,—which had borne us through all perils, and raised its head higher as the storm assailed us more fearfully,—had now risen to loftier honour, by bending to the cause of justice and humanity. Our pride, which never shrunk from the most powerful enemy,—our national jealousy,—our most cherished prejudices,—were thus voluntarily suspended. That which had braved the mighty, now lowered itself to the feeble and defenceless,—to those who, far from being able to make us any return, would never hear of what we had done for them, and probably were ignorant of our name.

Mr Bonnet said, there was no person who felt more deeply than he did the calamity under which this country suffered from the heavy load of taxation under which it laboured; yet he be-

lieved, that if they went from house to house, they would have no difficulty in raising a contribution for the purpose of putting down this traffic. He expressed, however, great doubts as to the sincerity of France in the execution of this treaty, which Lord Castlereagh assured him were groundless.

After some farther conversation, the motion was carried, by a majority of 56 to 4.

On the 18th March, Dr Phillimore raised a question respecting the proprietors of Spanish captured vessels, who had obtained, in British courts, a sentence of restitution, on the credit of which, perhaps, advances had been made to them. Yet they were now, in consequence of the late treaty, referred to their own government, which, perhaps, might pay little attention to their claims. He asserted, that the character of British courts required the fulfilment of all proceedings actually terminated, though it might stop those which were in progress.

Lord Castlereagh replied, that, by the law of nations, every government had the power of making a composition for the claims of its own subjects, against another government. Such a composition had been made by Spain in the late treaty—the sum paid to her being understood to be in full of all claims of her subjects upon Britain.

This argument was disputed by Mr Wynn, but acquiesced in by Mr Brougham and Mr Wilberforce; and the motion was negatived without a division.

Considerable efforts were also made this session by the friends of the abolition, to ameliorate the condition of the Africans actually under bondage in the West Indies.

Mr Wilberforce, on the 22d April, in moving for some papers on the subject, observed, the act which made the traffic in slaves felony, did great good;

but more than this was required. It was necessary to make it so clear, so palpable, so undeniable, that fresh supplies of slaves were not to be obtained; that their masters must look upon it as a thing quite impossible. With this view, he considered the plan of registration as highly expedient, and even necessary. He had agreed, however, to make the experiment of what would be done by the colonial legislatures; and the object of his motion was to obtain information upon this subject. It might be said, that these proceedings ought still to be left to the voluntary zeal and to the efforts of the affluent and liberal members of the West India body: but it had ever been to him a subject of deep regret and continued disappointment, to see that more enlightened portion of the colonial interest making common cause with classes of a different description. He then moved, "That there be laid before this House, Copies of all Laws passed in or for any British Colonies since the year 1812, and not already presented to this House, respecting the condition and treatment of Slaves, or the prevention of the illicit importation of Slaves; and also respecting the condition of the free coloured Population," Mr Goulburn and Mr Marryat declared their readiness to support every measure to prevent the farther importation of slaves; but wished this to be done in a conciliatory manner towards the colonial legislatures. The motion was however agreed to, as also several others, tending to throw light on the present state of the negro population in the colonies.

On the same day, and afterwards on the 20th May and the 3d of June, Sir S. Romilly called the attention of the House to different acts of cruelty which had been committed against slaves in the islands of Dominica, Nevis, and St Christopher's. From the proceedings of the grand jury of Dominica, he quo-

ted the following cases:—John Baptiste Louis Birmingham, doctor of medicine, was charged with having violently, cruelly, and immoderately scourged and flogged certain slaves, the property of, and belonging to the said John Baptiste Louis Birmingham. If the slaves had been guilty of the misdemeanors with which they were charged, they were liable to 39 lashes; but they were not found guilty; and yet, as soon as they were acquitted, they were brought out into the public market-place, and underwent the penalties limited by the law. This bill was thrown out by the grand jury. Another case was that in which John M'Corry, Esq. was charged with having, with cords, whips, sticks, and rods, immoderately scourged and flogged his slave, Jemmy, who, it was stated, had been guilty of drunkenness, quarrelling, fighting, neglect of duty, absence from labour, or absence from the plantation, without a written pass. This bill also was thrown out. A third case was (and a most horrible one it was) that of Alexander le Guay, of the said island, planter, who was charged with having assaulted his female slave, named Jeanton, and that he did confine the said Jeanton in an iron chain, by affixing and fastening the same with padlocks in and upon the neck, arms, and legs of the said Jeanton, such punishment not being prescribed in and by a certain act of that island in such case made and provided; and it was farther charged, that the said Alexander le Guay maimed, defaced, mutilated, and cruelly tortured the said Jeanton, by fracturing, and causing to be fractured, her arm. This bill likewise was thrown out. But not contented with this, the grand jury thought fit to declare, that these several indictments were nothing more nor less than nuisances. There was a general concurrence in opinion in the West India islands, that nothing was more improper

than to interfere between master and slave: it was thought to have a tendency to excite a disposition on the part of the slaves to revolt. If it were possible that there could be any check given to grand juries and to petty juries in Dominica, it was proper that that should be given. He confessed that he was not able himself to suggest any remedy, and he was disposed to think that no remedy could be procured but by the interference of the British legislature, and by their imposing a duty upon persons in the island, unconnected with the island, having no local tie to it, and comparatively without interest on it, to cause them to maintain the laws. The only effective remedy, in his opinion, would be that which had been recommended by Mr Burke to Mr Dundas, and published in his posthumous works, which was, to constitute the Attorney-general in every island guardian of the slaves, to make it an essential part of his duty to interpose between the master and the slave when there should be a necessity. In regard to Nevis, Sir Samuel observed, that he had formerly occasion to advert to the conduct of a Mr Huggins, who had been left manager of a Mr Cottle's estate in that island. It appeared, that two young men, slaves, had purchased each a pair of stockings from another slave who had stolen them. It did not appear, however, that the purchasers had any knowledge of the property being stolen. For this crime, nevertheless, they were to be punished, it being argued, that the man who sold the stockings, being a bad character, the parties ought to have known him. They were accordingly sentenced to 100 lashes each, though the law limits the number to 39. Mr Huggins was present at the infliction of this punishment, as were also two female slaves, one the sister, the other a near relative of one of the culprits. These poor women, on witnessing the punishment

of their friends, shed tears; and for this heinous crime Mr Huggins, thinking it fit that they also should be flogged, ordered them to receive, one 25 and the other 20 lashes, which were inflicted with a carter's whip. For this offence Mr Huggins was indicted, he was tried before a petty jury, and though the facts were clearly proved, and though no defence had been made, save an allegation of riot, which was also disproved by evidence, it was a singular fact that Mr Huggins was acquitted. His motion relative to St Christopher's was occasioned by a coroner's inquest which had sat on the body of a negro, named Congo Jack. A Rev. Mr Rawlins had the management of an estate in St Christopher's belonging to a Mr Hutchinson; a slave had ran away from it on the Tuesday, was taken and brought back on the Wednesday, flogged in the severest manner on Thursday, and chained with another slave who had committed some offence, and dragged to work with the rest of the men on Friday morning; he was still chained to the other slave, and when brought to his work he was incapable of doing any thing, and complained of severe pain, hunger, and sickness,—he tried to lie down in this state, but was severely flogged by the sticks of one or two drivers. The consequence of this brutal treatment was, that the wretched being died in the course of Friday, actually chained to his fellow slave. He was buried privately on the same day, and no coroner's inquest was at the moment called, though his body was covered with marks of violence. Some intimation of this cruelty had been given to the magistrates, and a coroner was then ordered to sit on the body, which was dug up for examination. It appeared, by evidence given on a subsequent trial, that the most visible marks of violence had been found on his body; yet the coroner brought in

the verdict, "Died by the visitation of God." In reply to these observations, it was urged by Mr Goulburn, Mr Marriott, and several other West India gentlemen, that the facts alleged rested in many cases upon vague report, and were greatly exaggerated; that they were at best only individual cases, and could not be taken as specimens of the general conduct of the planters; that such instances occurred only in the smaller islands, where society was less improved than in Jamaica and the greater islands, and that, after all, it was impossible for Parliament to re-try a case which had been already tried before a competent tribunal. The motions of Sir S Romilly were however carried, and a committee appointed to inquire into the circumstances which had taken place at Nevis.

In the course of the Session, treaties of a satisfactory nature on this subject, with the Kings of Portugal and of the Netherlands, were laid upon the table of the House.

A considerable discussion was created by the proposition introduced by Lord Castlereagh, on the 5th May, for the renewal, during two years, of the Alien Bill. His Lordship observed, that the measure which he was thus proposing to the House, was perfectly distinct from the war alien bill, which was first introduced in 1793. When that bill was introduced we were not merely at war, but at war with a power which acted on a system of sending persons in disguise to those countries with which it was at war, for the purpose of producing convulsions in them; and in the part of the country with which he was more immediately connected, these emissaries were often but too successful. The consequence was, that all aliens, on the face of their coming here, were open to suspicion. Aliens, the moment they were admitted into the country, were assigned a particular

part for their residence, were placed under the superintendence of the magistracy, and were not allowed to proceed more than ten miles from their place of residence, without obtaining a certificate from a magistrate. At present, on the contrary, they were no longer confined to a particular place of residence, but it was at the same time allowed to the magistrates and the state to remove any individual whose conduct led to the supposition that he was abusing the hospitality which he had received. The war alien bill, therefore, viewed all foreigners with jealousy; but the peace bill considered them all as coming for commercial and innocent purposes; but still not so completely so as that the government should be disarmed of the power to remove them, when their conduct rendered such a step necessary. During the last six years not more than nine individuals had been sent out of the country; and during the last two years only three, of whom two were sent out in 1817, and only one in 1818. The most serious mischiefs had arisen in a neighbouring country from the want of such an act. In the kingdom of the Netherlands, where there was no alien law, a number of unquiet spirits had taken up their residence and had organized that system of warfare against the different states of Europe by means of the Journals of which they became proprietors and otherwise, which had made the press of that country a scandal to Europe. There, too, several insurrections had been organized against the existing order in France, particularly that which had in view the assassination of the Duke of Wellington. Matters at present wore a favourable aspect in France; but on the withdrawing of the army of occupation every precaution might be requisite.—The measure met with a strenuous opposition from Sir S Romilly, who observed, the bill went up-

on a principle, which, though never openly avowed, was now indirectly stated, namely, that the government of this country was, to minister to the despots of Europe. Instead of England being what she always was, an asylum for the oppressed of all nations, she was now to be turned into a sort of depot for the persecuted, from whence their tyrants might have them brought back at will. Every man, no matter of what country or creed, had always looked in his distresses for an asylum in England, and had always found that which he sought. Why should that great character be now taken away from us? The number of aliens was, he believed, not less than 20,000, every one of whom might be removed, if any person were found from some, perhaps private motives, to give false information against them to government. This he thought a most objectionable measure, to place men who had adopted this country from choice, and who might also be considered as natives of it, at the disposal of the head minister of the police of this country. By a majority, however, of 55 to 18, leave was given to bring in the bill.—At the second reading, on the 15th May, Mr Lambton vehemently opposed the measure, throwing out at the same time severe strictures on the general system of the British cabinet. In 1793, the alien bill was first passed, on the pretence that we were threatened with great danger from the resort of foreigners to this country. He would not now enter into the question, whether this pretence had or had not any foundation in truth; but certainly, whatever grounds there might be for an Alien bill in 1793, there could not be the same now. That bill was a war measure; and stood on decidedly distinct and separate grounds; and unless it could be proved that danger was to be apprehended to the tranquillity of our own government from the machina-

tions of aliens, whose countries were in avowed and open hostility to us, he must assert that no precedent could be drawn from the adoption of that measure. We were now at peace and amity with all the European world—all revolutionary doctrines had been annihilated by the sad experience of the last twenty-five years, their fervour and violence having subsided first into a military, and latterly into a legitimate despotism. In every corner of Europe had legitimacy raised its head. That cause had been strengthened by the treaties and associations of monarchs, and acknowledged as the watchword of peace by the noble lord himself at the Congress of Vienna. In furtherance of that object he had planned and executed the spoliation and partition of whole countries—divided populations possessing the same manners, language, and customs—separated subjects from a monarch whom they respected and venerated—handed over independent states to sovereigns whose rule had been immemorially the object of their detestation; and, in the nicety of his calculations, as purveyor to legitimacy, had even divided his human merchandise into souls and half souls; and all this was perpetrated to ensure the safety of legitimacy; and according to the noble lord's mode of reasoning, the general peace of Europe. But had he not succeeded in all these objects? Had one single event occurred since the period of these proceedings to justify the present measure? Every act of spoliation had been carried into effect; and, according to the noble Lord's own shewing, there was no danger, no hostility to be apprehended from any foreigners whatever. He protested against Britain ceasing to be the refuge of the victims of tyranny and oppression on the continent, particularly in France,—the system pursued in which country he severely reprobated. Mr Lyttelton, Lord Folkestone, and

Mr F. Douglas, followed on the same side; and bitter taunts were thrown out against ministers, who, trusting to the majority of which they were secure, did not even vouchsafe a word in reply. The bill was carried by 97 to 35.

On the 1st June, at the proposal for committing the bill in the Lords, it was strenuously opposed by the Duke of Sussex, Lord Holland, and the Marquis of Lansdowne, but carried by a majority of 34 to 15. Discussion, however, arose on a clause introduced in the committee, subjecting to the provisions of the act those who, since the 28th April, had become naturalized, in virtue of an act of the Scotch Parliament, by the purchase of a quantity of the stock of the Bank of Scotland. This act, the existence of which was till then unknown in England, had been mentioned by Lord Melville, in consequence of information received from some of the directors of the Bank. Since the 28th April, forty-nine persons had purchased shares, with the supposed view of obtaining the benefits of naturalization. Lord Holland saw no reason which could justify the House, at so late a period of the session, in admitting a clause which so materially affected the rights of property, the interests of the Bank of Scotland, and the faith of the nation. Some technical difficulties having arisen as to the evidence before the House, of the existence of the act, the Chancellor framed a clause obviating these, which was carried by 42 to 20.

The bill was now brought back to the House of Commons to obtain its agreement to this clause, which was moved by Lord Castlereagh. By the revival of the obsolete Scotch act of 1695, all the operative provisions of the system for regulating the privileges of aliens, were to be defeated and rendered null and void, without even demand-

ing of the alien any of the oaths or tests prescribed by law. These persons had obtained their rights by fraud of an act of parliament. It would be monstrous to sacrifice the public interest and safety to a technicality of law—and that having framed a bill to guard against and regulate aliens, the legislature should be defeated in its object by an obsolete act of the Parliament of Scotland, by which all purchasers of the stock of the Bank of Scotland took themselves out of the class of aliens, and of course freed themselves from the operations of the bill. The retrospective nature of the clause had been complained of. This was a quality, however, very usually to be found in acts of Parliament. Nothing was so common as in a bill augmenting the tax upon a particular commodity, to make it operate back to the period at which it was introduced. Sir S. Romilly replied. He could not conceive it possible that the House, if it had the least regard to principle, if it was not determined to act in violation of all law and all justice, would not consent to appoint a committee for the investigation of the subject. Did the noble Lord—a minister of the Crown, high in the confidence of the Prince Regent,—mean to assert, that it was not perfectly justifiable in those persons to purchase the stock in question, in order to become naturalized? Why, it was the advantage held out in order to induce aliens to become proprietors of the Bank of Scotland stock. When the Bank of Scotland was established, which was a year before the establishment by charter of the Bank of England, it was a boon offered to aliens to tempt them to become proprietors. This boon the individuals in question had accepted, and now the noble Lord called that acceptance a fraud on an act of Parliament! To take it away would be a fraud on the part of Par-

liament. The Attorney-General defended the clause, which would doubtless have been carried, had it not been discovered, in the course of the debate, that there were some alien-duties, as well as fines to which aliens might become subject; which particulars gave to the act the character of a money-bill. It is considered an immutable privilege of the Commons, that nothing of that kind shall come down from the Upper House. On the motion therefore of Lord Castlereagh himself, the clause was disagreed to *nem. con.*

This rejection being announced in the House of Lords, the Earl of Liverpool moved, that the House do not insist upon their clause. He at the same time expressed his strong conviction of its propriety, and trusted, that the Commons would themselves institute some measure to the same effect. Lord Holland, were it not for the state of humiliation in which the House was placed, would have been disposed to consider the whole proceedings relative to the clause in question, rather as a subject for mirth and pleasantry, than for serious consideration. The whole tendency of the noble Earl's argument was to prove, that their Lordships would have acted most preposterously had they not adopted this clause, and that the Commons have done wrong in refusing to agree to it; and yet he concluded with proposing, that it should now be rejected. Earl Grey moved that the debate be delayed till Monday next, and that the Lords be summoned. This was rejected by 32 to 21, and the original motion was carried.

Lord Castlereagh now judged it necessary to introduce some measure in the room of the last clause from the Lords. In consideration, however, of the advanced state of the session, he merely moved the suspension of the Scotch act, and of some similar acts

which had been discovered relative to corporations till next session, they might be taken fully into consideration.

Scarcely any opposition was made to the motion; it being admitted, even by Sir James Mackintosh and Mr Brougham, to be inexpedient, that naturalization should be obtained in this easy and unguarded manner; and the measure having no longer any retrospect.

On account of the approaching close of the session, the standing orders were suspended, and the bill passed in one day through all its stages. The same summary process took place in the House of Lords, though not without a vehement protest from six of the opposition members.

Sir Francis Burdett, this year, renewed his motion for a reform in Parliament. His speech necessarily went over nearly the same ground as in the preceding session. He endeavoured to trace the proposed system of free election to the earliest stages of English history. He supported the highest principles of annual parliaments, universal suffrage, and election by ballot. He concluded with moving twenty-six resolutions, the substance of which was then concentrated into six, exhibiting the plan upon which he proposed that Parliament should be reformed.

Lord Cochrane seconded the motion.

The principal feature in the debate, however, consisted in the speech of Mr Brougham, which was supposed to embody the principles of that moderate reform advocated by the Whig leaders. He professed himself to be an advocate for reform; but it was, though in his opinion an efficient, yet a moderate one, when compared with the plan which the House had just heard.

Those who argued, that all reform whatever would lead to the destruction of the constitution,—they who professed themselves such enemies to the very name of reform,—had been, in practice, in Parliament itself, the greatest of all reformers. They, or their colleagues in Ireland, had altered the qualifications of electors—had changed the elective franchise. They had let in one class of electors to-day, and they had let in another class to-morrow. They had proceeded through a long course of changes all eminently entitled to the name of Parliamentary reform, and had only stopped when they terminated their career by a parliamentary revolution—the annihilation of the Parliament of Ireland, by the union of the two kingdoms—a measure for which he was cordially thankful, although he could not approve of the means by which it had been effected; for that measure had been, perhaps, more beneficial to the empire, than all the more baneful acts of the individuals by whom it had been accomplished had been injurious to it. As to the train of argument, however, pursued by his hon. friend, he must be allowed to say, that he never heard any thing more inconclusive. The hon. baronet, in his elaborately reasoned resolutions, had confined himself to one species of authority, not founded on the Statute Book—not derived from Magna Charta—which did not rest on the dicta of any of the judges, or on the resolutions of this or the other branch of the legislature, or even on the learned treatises which his hon. friend had so often referred to,—such as Mr Prynne's and others,—but a species of authority which ranked in his estimation lower than the least, the speeches from the throne. These speeches were neither more nor less than the composition of the king's ministers, and they were always viewed and treated as such by Parliament.

The addresses, which echoed back the tale, were never understood to pledge any member of that House to any particular vote upon the many questions that arose in the course of the session. A King's speech was usually known as a vague, unmeaning, general composition, in which as little as possible was to be said in a large number of civil and sounding phrases. Although it should be proved, that annual parliaments and universal suffrage were the ancient law of the country, it might still be one of the most visionary doctrines that ever entered into the brains of a projector, to introduce them at present, if they were not adapted to the present state of things. With respect to universal suffrage, his hon. friend was a little more pressed for authorities. Here the royal orations failed him. But he would venture to say, that the authority of the King's speeches with which he had garnished his resolutions, was not more flimsy than the quotations from the old writs with which he had garnished his speech. If Mr Fox's opinion had really been in favour of radical reform, he would, indeed, have considered the highest respect due to it. But if that illustrious person were present, no little man—the honourable baronet, and himself, and all of them, were little men compared to Mr Fox; therefore he could mean no disrespect—no little man could obtrude his own crude notions on such a subject. He grieved that his authority had been brought forward as having once sanctioned what every one knew he had never acted upon. The honourable baronet inferred Mr Fox's assent to the principle of universal suffrage, from the circumstance of his having put his name as chairman to certain resolutions. In the name of all chairmen of public meetings he protested against this doctrine. Every chairman, as matter of courtesy as



well as duty, authenticated the resolutions of a meeting over which he presided, and, by so doing, only said, "I attest this to have been the sense of the meeting."

Mr Brougham took occasion to observe, that he did not join with many in admiring the silent mode of election. The old established manner of election in all times was, that they should be attended with some bustle and even confusion. No harm ever came of such proceedings. They did much good to the constitution; they kept up popular spirit, and had salutary effects upon the minds of bad rulers. He, for one, had no desire to see the accustomed *fori strepitus* superseded by the flat and spiritless tameness of a vestry meeting, which the doctors of the new school had pronounced to be the perfection of election proceedings. Mr Brougham, in fine, honestly confessed, that some changes had taken place in his opinions on this subject, by which he could neither be suspected of courting popularity, nor of seeking to gain any favour with ministry. He now, though he did not strongly object to annual parliaments, was of opinion, that triennial ones would be preferable, and he was disposed to think that an extension of the right of suffrage to all payers of direct taxes was too large. He was convinced that the inclusion of persons paying direct taxes, and the exclusion of those who paid indirect imposts, was liable to the charge of inconsistency in principle; that consequences, absurd in reasoning, and dangerous in practice, would result from making the franchises depend on any particular mode of contribution to the public revenue; and that a better method of fixing the qualification might be obtained from the amount and kind of property possessed. As for universal suffrage, or the doctrine which severed the elective franchise

altogether from property, he begged leave to observe, that he never had at any time held it as less than the utter destruction of the constitution; he need not add, that he had never given it the slightest countenance or support.

The motion was opposed by Mr Canning and Mr Lamb. When put to the vote there appeared against it 106; for it, only Sir Francis Burdett and Lord Cochrane, the two tellers, but having no votes to tell.

The inquiry into the poor laws, and the efforts to effect their melioration, continued to be prosecuted during the present session. At its very commencement, Mr Curwen reproached ministers with not having introduced the subject into the Royal speech, and made it a government question, without which, in his opinion, nothing could be done. Lord Castlereagh observed, that from the zeal with which Parliament had taken up the question in the last session, ministers thought it would be improper to interfere with it, until the legislature had brought the business to a satisfactory conclusion. He was of opinion, that the subject ought to be taken up on its own merits, and not as a government question; but ministers would feel it their bounden duty to use their utmost exertions, in order to bring the matter to a satisfactory result. On the 4th February Mr Sturges Bourne moved and obtained the reappointment of the former committee. On this occasion, Lord Castlereagh, in reply to the repeated strictures of Mr Curwen, stated that all the members completely concurred upon certain important radical points, and on these points, therefore, he would recommend that some legislative measure should at once be brought forward; for he was an advocate for the practical amendment and gradual amelioration of this system, being convinced that nothing like that

subversion could be entertained by parliament which the hon. gentleman appeared to recommend; for the system of the poor laws was interwoven with the institutions of the country, and the repeal of such a system was not to be thought of.

On the 3d March Mr Lushington presented the returns of the sums of money levied throughout England and Wales for the maintenance of the poor, when some desultory conversation took place on the subject.

On the 12th March, Mr Sturges Bourne applied for leave to bring in two bills, one for the Regulation of Parish Vestries, and the other for the Amendment of the Laws for the Relief of the Poor. The object of the first bill, among minor regulations, would be to give additional influence to persons in parish vestries in proportion to their contribution to the poor-rates. This proposition was not new to the House, and he was not aware that any objection had been made to it; and as far as he could learn from communications with all parts of the country, it was a provision that would be very generally acceptable. The first object of his second bill would be a provision to enable parishes of considerable extent to appoint select vestries for the management of their concerns; the orders of which should not be over-ruled by any single magistrate, but only by two or more. The next object would be a provision qualifying persons having considerable property in the parish, though resident at a short distance out of it, to become overseers. Another object would be to enable parishes to appoint an assistant overseer, with a salary. The next provision was one of considerable importance, although only in furtherance of the existing law; it was to make provision for carrying into better effect the statute of Elizabeth, as far as regarded setting to work the

children of parents who were unable to maintain them. The next provision of his proposed bill would tend again to further the execution of the existing law, by giving employment to those out of work; it would be to enable parishes to let small portions of land to industrious individuals; and, if adopted, would, he was persuaded, exhibit very beneficial results. Another object of the bill would be a provision to enable parish-officers to recover possession of tenements in which they had placed paupers, and of land which, in conformity to the last provision, they had let to them, without being reduced to the tedious and expensive process of ejectment. The next provision would be one of considerable importance, but not of novelty, as it had been suggested last session, since which, he had received numerous applications earnestly pressing its adoption. It would be in the case of towns, to enable parishes to rate the owners of houses, instead of the occupiers. In towns, by various means, a large proportion of the occupiers of houses escaped being rated, the consequence of which was a larger rent paid to the owners; and an immense burthen was thrown on the remainder. Several other minor clauses were also mentioned. At the suggestion of Lord Castlereagh, the first bill was ordered to be printed.

The bills now proceeded in their regular course without opposition, till the third reading of the Amendment bill, when Mr F. Douglas divided the House, on the clause relative to taking the children of paupers from their parents, and placing them in schools established for the purpose. This plan, in fact, was an extension of the work-house system, and involved all the bad management and want of economy which we have shewn to be attached to that mode of provision. The only good it could produce was that of deterring

application by a penalty, which, in the present instance, was much more tyrannical and severe, not only confining the individual, but wresting the children from the parents. It would fall too only upon the worthy and virtuous parents, while those of an opposite character would be heartily willing to throw the burden of their children upon the public. Yet the clause, though opposed by Mr Curwen, Mr Lamb, and Mr Calcraft, was carried by a majority of 46 to 14. In the progress, however, of the bills through the Upper House, the Marquis of Lansdowne so strongly pointed out the inconveniences of this clause, as to procure its rejection.

A great clamour was raised during this session, on account of the price of malt liquor, particularly porter. Among other petitions, Mr Lockhart presented one on this subject, containing 14,000 signatures. It complained, that the brewers raised the price of porter when there was no cause, and did not lower it when there was cause; that in London the whole trade of making porter was engrossed by a few great brewers who regularly combined and consulted together, like the partners of one concern; that these eleven were themselves the owners of a large proportion of the houses in which porter was retailed; and that by the licensing system, and by advances of money, they kept the rest in such check, as to maintain a perpetual control over the price of beer. On this subject we must treat as utterly absurd the idea that there can exist any monopoly in a trade which is left perfectly free, and which any one that pleases may exercise. In this case, if the existing dealers sell their commodities dear or bad, there will never be wanting some one or more who will draw the public to themselves by supplying them on better terms. If therefore the manufacture be engrossed by a few

hands, it can merely arise from extensive capital and machinery, enabling the great dealer to make cheaper and better beer than the smaller one. We believe it to be a very idle plan in these great houses to manœuvre in buying retail houses, and giving advances of capital as bounties for the custom of others. This is distracting their capital and attention from their own proper business; while, if the trade is free, these artificially propped houses of sale can never make head against others selling cheaper and better beer. The plan, therefore, is idle in them; but it would be equally idle in the legislature to interfere to prohibit what can, in fact, do no harm to the public. But this case is very different, if, as asserted in some of the petitions and speeches, it be really true, that under the system, which subjects every house of public entertainment to license, the brewers have influence enough to obtain a preference for persons in their own employment, and to exclude others. This forms a most gross monopoly, and one which Parliament ought by every possible means to break. The licensing system ought to be used, as the law intended it, solely for the preservation of public morals, not to enable the brewers to force an inferior article, at a high price, on the public. The Report of the Committee, whilst it severely inveighs against brewers possessing and controlling public houses, which by itself can never do much harm, has scarcely touched on this alleged control over the givers of licenses, which alone can establish any real monopoly. A Report was presented this session, recommending farther restrictions on the sale of goods by auction, to which Parliament for some time back has shewn a very strong hostility. We do not mean to recommend auctions as an advantageous mode of carrying on retail trade of a country; or to deny,

that the present age is smitten with a sort of *auctio-mania*. The hunting after bargains in auctions is, we believe, a very idle and unprofitable trade. It involves a loss of time and regular habits of employment; and it leads naturally to the purchase of many things as cheap, which otherwise neither would nor needed to have been thought of at all. Unless too the person is thoroughly versed in the article purchased, he is liable to the most complete imposition, without any recourse. In jewellery and furniture, above all, two articles for which auctions are much resorted to, and which, if sound, would last for generations, any want of soundness can never be compensated, by almost any cheapness. At the same time, we would

much rather have the public discover these things for themselves, and be on their guard against auctions, than be driven away from them by act of Parliament. Auctions may often be inexpedient, but we cannot see why they should be illegal. What right has government to dictate to any individuals the mode in which they are to dispose of their property. We verily believe that the world would go on better in all these matters, if left to itself, than by flying to statutory remedies for all the evils to which human life is found liable. Such do not appear to have been the views of the committee, who strongly recommend, that a bill should be introduced next session, imposing fresh limitations and restrictions on this species of traffic.

## CHAPTER VIII.

## ROYAL FAMILY.

*Want of Heirs to the British Crown.—Royal Marriages.—Parliamentary Provision for the Duke of Clarence—the Duke of Cambridge—the Duke of Cumberland—the Duke of Kent.—Regency Act Amendment Bill.—Death of the Queen.*

AMONG the sources of that affliction which had been so deeply felt by the empire at the untimely fate of its princess and her offspring, some place had been held by the dread, that heirs would fail entirely to the British throne. Numerous as was the Royal Family, only two of its members were married, and under circumstances which precluded any expectation of issue. A disputed or a foreign succession, both evils of the first magnitude, seemed imminent. It would be unjust to deny, that very extraordinary exertions were made by the princes of the royal house to tranquilize the national alarms upon this subject. Four royal marriages announced in the course of the present session, afforded to the public a well-grounded hope that this illustrious house would not become extinct by the want of issue.

No very amicable feelings have been wont to reign between the nation and its princes. The royal brothers, in a limited monarchy, are placed in peculiarly difficult circumstances. Born

to consider themselves as the most illustrious members of the society, as beings on whom every appendage of pomp and pleasure should wait; they are yet restricted to an income, much inferior to that of the first, and scarcely equal to that of the second nobility. It is with great difficulty that, in such a government, they can find access to any high public employments. The nation, justly jealous lest its affairs should be mismanaged in the hands of functionaries, for whose promotion favour alone appears sufficient to account, criticises their conduct much more rigorously than that of any other persons occupying the same place. In every case of failure, it raises clamours so loud, as the court is unable to resist. Thus excluded from any important occupation, yet everywhere courted and caressed, they are almost inevitably drawn into the whirl of gaiety and pleasure, involved in debt, and finally, perhaps, sunk in those degradations from which debt can with such difficulty be separated. With such faults the nation had to

reproach its princes; and it did reproach them with an asperity whetted rather than blunted by their elevated situation, and not softened by any allowance for the trying circumstances in which they stood. It is but just to state, that within these few years, a sensible retrieval has taken place, even in the public opinion. The grounds of scandal have in a great measure ceased; and deeds of beneficence, and actions worthy of praise, have begun to be recorded. Nevertheless, the original feeling still prevailed so far, as to give a certain degree of popularity to any measures tending to mortify or thwart those members of this illustrious house.

The first marriage announced to Parliament was one which, from the age of the party, could scarcely have any reference to the present exigency: It was that of the Princess Elizabeth with the Prince of Hesse Homburg. The lady had the reputation of talents and accomplishments; and her spouse, though not possessed of extensive territory, had acquired a considerable military reputation in the great continental war. The Houses, on the 9th April, were merely called upon, by Lords Liverpool and Castlereagh, to offer an address of congratulation to the Prince Regent upon this subject. The destined husband was stated as a prince of a most illustrious family, whose character stood high over Europe, who had partaken in almost all the great battles by which its independence and tranquillity had been achieved, and had exhibited in field all the qualities of a brave, active, and able officer. Parliament having nothing more asked than the address, voted it without the least hesitation.

Affairs took a very different turn, when it came to the lot of ministers to announce the ap                  nuptials of the Royal Dd                  and to solicit an

accession of income\* to meet the enlarged establishment involved by such an arrangement. On the 13th April, Lord Castlereagh brought down a message from the Prince Regent, announcing the negotiation of treaties of marriage between the duke of Clarence and the eldest daughter of the Duke of Saxe-Miningen, and of the Duke of Cambridge and the niece of the Elector of Hesse. An address of congratulation was then moved, not simply, however, but accompanied with a promise to consider the subject in such a manner as might demonstrate their zeal and duty. Ministers would gladly have had the affair pass, for this day, in general terms; but Mr Tierney immediately began putting questions about a meeting of ministerial members held that morning for the purpose of feeling their pulse on the subject. These meetings, he said, were, it would seem, always called when any new measure was to be submitted to the House; for ministers were convinced, that unless their measures had such a previous rehearsal, they could not carry them. Nothing could be done without a previous discussion in a meeting of fifty or sixty ministerial gentlemen. Such had been the nature of the meeting at Lord Liverpool's that morning. Lord Castlereagh denied that there was any thing unconstitutional in such a meeting; but Mr Taylor said, he considered the practice of calling together a certain number of members, for the purpose of taking their opinion whether such an application ought to be made, a practice highly objectionable. At length, Lord Lascelles fairly told the House, that he was one of those who had attended the meeting alluded to during the early part of the discussion. He thought he should not take too much upon himself if he stated that what had transpired there had not met with the satisfaction of se-

veral others besides himself. He would not say more at present, but he would repeat, that in what he had mentioned, he had not stated his own feelings alone. The same statement was made by Mr Lee Keck and Mr E. Littleton. Mr Bennet then asked, whether ministers had not communicated to their select committee, that they intended to propose 19,000*l.* in addition a-year to one of the royal dukes, besides 19,000*l.* as an outfit, and 12,000*l.* a-year to each of the others? Lord Castlereagh said, the address did not commit the House on any of the points mentioned. It gave no countenance to any particular amount of grant, or in fact to any grant at all. Mr Brougham then moved as an amendment some additional expressions, referring to the burdened state of the country. Sir S. Romilly begged the House, before it came to a vote, to recollect that the whole of the members to whom the private and unconstitutional disclosure had been made in the morning, and who alone knew its nature, had, from all that now appeared, disapproved of it, and had, one after another, informed the House of its being of a kind impossible to be supported by those who usually voted with ministers. The amendment was then negatived, though only by a majority of 144 to 93.

The rough reception which the measure had met with, seems to have induced a pause in the counsels of ministers. On the 14th, Lord Liverpool, in the Lords, moved a postponement of the consideration of the similar message which had been transmitted to them. The opposition severely taunted ministers on a proceeding so disrespectful to the Crown, to whose messages it was customary for the House to return an immediate answer; and Lord Holland moved an address similar to that of Mr Brougham. Lord Liverpool stated, that by postponing

the consideration of the message until to-morrow, their Lordships might be the better prepared to give their opinion upon the measures which ministers might consider it their duty to recommend; and Lord Sidmouth admitted that alterations might be made in the plan. Different impressions which had been produced might be removed. He would repeat, that different impressions might be removed, and alterations suggested, which would require consideration. Lord King believed this was the first time that a minister had given a decided negative to an address of thanks and congratulation proposed to the throne; and the Marquis of Lansdowne observed, it appeared that there was some mode by which the impressions were to be removed, and alterations made, without the knowledge and concurrence of that House; and that, while that process was going on, their Lordships must patiently await the result. As the mode by which this was to be accomplished was, it seemed, not fit to be stated, the House were required to adjourn until ministers came fully prepared with the result of their secret consultations.

A similar postponement was on the same day moved in the House of Commons, to the motion for a committee on the Prince Regent's message. Mr Brougham made the most violent strictures upon the proceeding. The plain English of it was too obvious to allow it to remain secret for one second to any person, who wished to discover it. A noble lord, a member of the other House, and standing at the head of his Majesty's councils—in a private room—in a manner contrary to the spirit of the British constitution—in a way which was against all practice, but which no man, even if the practice existed, could defend on that ground—had thought fit to meet a select body of the members of

this House. He understood the party consisted, in general, of most respectable country gentlemen—of gentlemen, whose liberality of conduct, and whose general tendency of principle, to support government, where they could at all support it, were perfectly well known to the noble Lord. To them a disclosure of a most delicate nature was made—a disclosure which was refused to that House, when first that House asked it. [Hear, hear!] If such meetings as this were to be allowed—if Parliament was to be silent when they heard of such assemblies—it was a mockery, to proceed to a debate in the House of Commons. The debate might go on—the result of the division might be declared by the speaker from the chair—but, in point of fact, the matter would have been previously settled elsewhere—[Hear!] How settled? By private means—by practising on members of that House in various ways—which he had, constitutionally speaking, a right to suspect government of a wish to do, when they proceeded in such a course. The preliminary debate was carried on in silence; and in silence and darkness the feelings of particular individuals were ascertained. If ministers found that the majority was so commanding that they were sure of carrying their measure, the House would hear nothing more of the transaction, unless by some unaccountable mistake, like that which fortunately occurred yesterday, the business came to be noticed. Lord Castlereagh said, that if deliberations out of the House, previously to the submitting of any proposition to the House, were to be prohibited, this would be the first time that it had been done. He must, therefore, enter his counter protest against the new constitutional doctrine of the honourable and learned gentleman, as impracticable, unwise, and unconstitutional. If the House

could wait till to-morrow, he trusted it would then be satisfied with the conduct of ministers. Mr Tierney then endeavoured to ridicule the course which had been pursued, of which he gave the following history: On Saturday every thing had been settled with his royal highness the Prince Regent as to this question. It was determined what was the fit thing to be proposed to Parliament. That was previous to the meeting at Lord Liverpool's. Then, some how or other, a rumour arose, that this proposition, which the ministers had advised the Prince Regent was a fit one, was not likely to meet with the concurrence of the members of the House of Commons. The faithful few then assembled the tried many at Lord Liverpool's, to submit to them the proposition which they had before advised the Prince Regent to recommend. If these meetings were to take place, there should be something like a gallery in Lord Liverpool's room, where those who had not the favour to be admitted into the body might hear the debates. On this occasion, however, there was no debate. It was a Quaker's meeting. The noble Lord, indeed, made a speech of considerable length, but those who were assembled said nothing to him or his speech either. Scarcely had they stepped over the threshold, when it was discovered that a mutiny had broken out among the minister's troops, and they came here manfully to declare their opinions. The moment these selected gentlemen found themselves in the air of this House, which, to be sure, was a very different atmosphere from that of Fife House, they, one after the other, avowed their dissent. In that meeting (for it had all come out since), it had been proposed that the Duke of Clarence should receive an additional income, rendering his total income equal to 40,000*l.*, with an



outfit of 20,000*l.* The Duke of Kent was to receive 12,000*l.* so as to make his total income 30,000*l.* per annum, with 12,000*l.* as an outfit; the Duke of Cumberland—[shouts of Hear! hear!]*—*was to receive an additional 12,000*l.* per annum, making his income 30,000*l.* with an outfit of 12,000*l.*; and the Duke of Cambridge's income was to be augmented to 30,000*l.* a-year by an additional vote of 12,000*l.* a-year, and 12,000*l.* as an outfit, making a total of 116,000*l.* to be granted during the first year, at a time when the country was so ill able to make good its present taxes.—The motion was, however, agreed to.

On the following day, the question was brought into full discussion. Lord Castlereagh observed, that the natural jealousy of the influence of the crown rendered his task difficult. To propose to the House an additional provision to any of the Royal Family, and augmenting the public burthens by the amount of such provision, was one of the most arduous duties which could devolve on ministers. The difficulty was greatly enhanced by that great change that had been in the former part of the present reign effected in the constitution of the country, by which it had been thought necessary for the public advantage, that all those branches of revenue which were formerly at the uncontrolled disposal of the Crown, should be surrendered into the hands of that House, to be administered for the public benefit,—a change which rendered it necessary for the royal family to come to Parliament in all the exigencies which might arise, and demand a specific grant from the public to meet those exigencies. If the applications of the reigning family to Parliament had been more frequent than from those who had gone before them, it was not because they were more improvident than their predecessors, but

because the revenues which formerly belonged to the Crown had been surrendered to that House on its binding itself to provide for the wants of the royal family from time to time, as circumstances might require. He assured the gentlemen opposite, that though he differed from them in their application of the principle of economy, he was equally sensible of the sacredness of the principle itself. Lord Castlereagh then pointed out how important it was that matrimonial connexions should take place in the Royal Family. Of the twelve children of his Majesty, seven were sons, and five daughters. But not one of them had a child to present a hope of direct inheritance of the throne. The Duke of Cambridge, the youngest son, was now forty-five years of age, and none of the princesses were under forty. To excite some of the members of the Royal Family to marriage, was now an object of much importance to the country; and those illustrious personages owed it to themselves, to the Crown, and to the country, if they did not feel that from some circumstances marriage would be perfectly incompatible with their own comfort, to look forward to a suitable union, that the succession might not be endangered. A single marriage would not satisfy the anxiety of the people on the subject of the succession. The Prince Regent, sensible of this, had made offers to such of his Royal Brothers as could reconcile marriage to their feelings. He had done this in the greatest spirit of affection; he had shewn no preference to any one of those illustrious individuals beyond the other. Lord Castlereagh then instanced the Princess Charlotte, who had received 60,000*l.* a-year, and the Duke of York, who, when not so near the throne as the Duke of Clarence now was, had received allowances which, with 3000*l.* a-year from

military emoluments, had amounted to 40,000*l*. He then stated the votes originally proposed, and which he endeavoured to shew were reasonable and moderate. In deference, however, to the opinion of the House, to which, on an occasion like this, it appeared to him the duty of a minister to pay the utmost regard, he had determined to propose smaller allowances. He urged, however, that no regard ought to be paid to the income derived by their Royal Highnesses from other sources. They were shut out from the usual modes of advancing themselves and raising a fortune; it would be hard then to deprive them of all opportunity, by serving the public, to make some addition to the income allowed by Parliament. A false impression had gone abroad as to the emoluments of the Duke of Cambridge. It was material to state, that the whole of his Royal Highness's pay, as head of the army in Hanover, was only about 5300*l*. a-year. Beyond this, all the other emoluments attached to that situation did not exceed 700*l*. making the total amount of his income derived from his situation at the head of the army of Hanover not above 6000*l*. a-year. At the same time he must contend, that a temporary employment abroad, such as that now held by his Royal Highness, ought not to weigh with the House in making a provision of the kind now proposed, and ought not to preclude the House, as it had never on any former occasion precluded the House from making a provision such as was due to the son of a king of Great Britain.—Then, as to the Duke of Clarence, he had no revenue but that granted him by Parliament, with the exception of his pay as an admiral, which amounted only to 1100*l*. a-year. He wished it to be understood, that all the statements which he submitted upon this subject would be sub-

stantiated by documents which it was meant, in due time, to lay before the House. With respect to the income derived from the appointments of the Duke of Kent, the returns of it had not yet been made up. But still, so far as it could be ascertained, he would state it. That royal Duke had the government of Gibraltar and a regiment of infantry. As to the latter, a regiment of infantry was not very profitable to any man; but to a royal Duke, certainly much less so than to any other person. His government and his regiment together did not produce to his Royal Highness above 6000*l*. a-year. His Royal Highness, it was known, was much longer without his proper provision than any other member of the Royal Family. Considering all circumstances, it appeared to him indispensably necessary, that an annual provision should be made for his Royal Highness the Duke of Clarence, in addition to what was already granted, of 12,000*l*. or at the very lowest 10,000*l*. For the Duke of Cambridge, the Duke of Cumberland, and (in case he should marry) the Duke of Kent, the very lowest sum which could be proposed was 6000*l*. In the case of marriage, the provision for the wife in the shape of jointure and pin-money, was to be considered. As to pin-money, that was of course to be allowed by the husband from his own means; and such of course was to be the case with any of the royal Dukes. The pin-money allowed to the Duchess of York was 4000*l*. a-year; in the case of the Duke of Clarence it was thought it could not possibly be made less than 3,000*l*. When this was considered, it would be found that, in fact, the proposed allowance to the Duke of Clarence, when the pin-money was deducted, would amount to no more than 7000*l*. a-year; while the grants to the other princes would amount to only 3000*l*. a-year each. He would sub-

mit to the House whether any smaller sum could be proposed.

The proposition was opposed by Mr Charles Barclay, Mr Gurney, and Mr Protheroe, and supported by Mr Parnell. The chief attention, however, was drawn by Mr Holme Sumner, whose usual attachment to ministry gave great weight to his present opposition. He defended the meeting called at Lord Liverpool's against the imputations which honourable gentlemen opposite endeavoured to level at it. To such a class of men he should always consider it an honour to belong, notwithstanding the designation which an honourable and learned gentleman gave them, when he called them a click. He could not consent that the House should provide for the Duke of Clarence on the ground of his being a presumptive heir to the throne, a situation in which he did not stand. It was true, that his Royal Highness the Duke of York was married and had no issue; but might not that illustrious personage, by the visitation of a family calamity, lose his lady? and in such an event, would not the Royal Duke have reasonable grounds, on a second marriage, to demand being placed in a situation similar to that in which the Prince of Saxe-Cobourg was placed by Parliament? To the extent of 6000*l.* he was disposed to assent. Independently of his annual allowance of 18,000*l.*, the Duke of Clarence received 2500*l.* by treasury warrants, with 1100*l.* as his half, as admiral of the fleet. Added to this, he was a ranger of Bagby park, had a charming residence, with appendages of no less value than 3000*l.* per annum. If public report spoke truly, the Duke of Clarence was greatly in debt. These debts amounted to between 70 and 80,000*l.* An increase of 10,000*l.* per annum under such circumstances, for an increase of splendour, went to place his Royal High-

ness in a degraded, rather than in an elevated situation. He feared it would be found, that the House was actually throwing away the money. He was ready to admit, if the state of the country would permit it, that 30,000*l.* should be the allowance of the Royal Dukes on their marriage; but if the public necessity interposed, the Royal Dukes, in common with every other description of persons in the country, must yield to the pressure of the times. When he spoke of his Royal Highness the Duke of Cambridge, it was impossible not to be impressed with the uniform tenor of his conduct, and particularly with the manner in which he had avoided the incurring of any debts. With regard to the Duke of Cumberland, the question had been long ago settled. That marriage had been generally disapproved of; and he felt himself justified in saying, that Parliament on that subject had not been fairly treated; and he must say, that Parliament was not fairly treated in the present measure, by hooking the Duke of Cumberland into the proposed grants for the other royal dukes. He finally moved the reduction from 10,000*l.* to 6000*l.*

On this occasion, the speech of Mr Ellison was also remarkable, as that of a plain blunt country gentleman, usually supporting ministry. He said, "I have always, sir, supported every measure which I thought conducive to the dignity and honour of the royal family; for I have ever been a warm friend to the House of Brunswick. I have felt this attachment ever since I was capable of forming any opinion upon any subject; and I feel it still. Sir, I will support that family even to the last drop of my blood—I will, sir. I am a plain spoken man, sir, and perhaps though my language be not so choice or so eloquent as that which is sometimes heard in this House, I may still be able to express intelligibly that

which I do most strongly feel. It is the duty of every member to attend to the interests of the royal family, but we must attend also to the interests of the people, and I cannot consent to humbug them. Sir, the distress of the people is great—less than it was, thank God!—but still it is great. I think that the wise and salutary measures pursued by his Majesty's government have been principally the means of alleviating that distress. In the present state of the country, we cannot venture to impose any additional burthens on the people." Sir T. Acland spoke in the same strain; but Sir W. Curtis and Lord Lansdowne, though they decidedly opposed the sums originally submitted to the private meeting, had no objection to the modified allowances now proposed. Mr Lambton was for no allowance at all; but was persuaded by Mr Brougham to join the 6000*l.* rather than take no share in the vote. Mr Wyndham said, that if the original proposition had been adopted, it would have gone farther to shake the attachment of the country to the royal family than any proposition ever submitted to Parliament. He should give his vote in favour of the 6000*l.* which, in a former instance, was considered a sufficient income. In the event of an increase of family, it would be for Parliament to consider the circumstances of the case, and to grant an increase if they thought proper.

Mr Canning defended the motion. When he compared the proceedings of this night with the feeling that prevailed on the opening of the session, he was at a loss to conceive by what process the whole feeling then expressed had been so completely evaporated. With respect to his Royal Highness the Duke of Clarence, he could assure the House that his Royal Highness would not have thought of contracting this marriage; it would never have

entered into his contemplation to engage in this alliance, if it had not been pressed upon him as an act of public duty. [Hear! hear! and a laugh.] His Royal Highness had voluntarily, and by arrangements of his own, set apart a portion of his income for the payment of interest, and he believed, also for the insurance of his life, and the gradual liquidation of the principal. Had it not been for this alliance, therefore, he would not have required any aid from Parliament; and into this alliance his Royal Highness entered, not for his own private desire and gratification, but because it was pressed on him for the purpose of providing for the succession to the throne. [A laugh.] If there was any thing ridiculous in this proposition, it was brought about by their own laws. It was the decided opinion of his Majesty's ministers, and they were anxious to bring down the proposed sum to the lowest practicable point that they could conscientiously recommend—that an addition of less than 10,000*l.* would render his Royal Highness's marriage, if not altogether impracticable, hazardous to the ease and honour of his Royal Highness and his royal consort. In voting for the 10,000*l.* they would vote only for one-half of the sum originally proposed, [Hear, hear!] a sum, the propriety of which, both his noble friend and himself thought then, and still thought, maintainable by fair argument, but which they had no hesitation in surrendering to the expressed opinion of that House.

Notwithstanding all the exertions of ministers, they failed upon this occasion. The number of votes for the original motion was 184; for the amendment 193; making a majority of nine for the reduced amount moved by Mr Sumner. The result was received throughout the House with loud applause; in the midst of which

Lord Castlereagh rose, and stated, that this refusal of the House to make what was judged by ministers and the Royal Family the necessary provision for the Duke of Clarence, might be considered as putting an end to the treaty of marriage. This was confirmed next day, when his Lordship stated, that he had that morning communicated the matter to his Royal Highness, and added, "I beg to say, that I should not be doing justice to his Royal Highness, if I omitted to state, that in receiving this communication, and in the observations which he made to me upon the subject, he seemed impressed with sentiments of the highest respect for the decision of the House. But as his acceptance of ~~any~~ provision which might be voted for him, would necessarily imply an obligation to maintain an establishment such as would be required by his situation in this country after his marriage, and as his Royal Highness is thoroughly convinced that he could not undertake to maintain such an establishment with the sum proposed, without the certainty of incurring embarrassments from which he would have no means of extricating himself, his Royal Highness deems it incumbent upon him, in this state of the proceedings, to authorize me to declare, with the utmost deference to the opinion of the committee of the whole House, that he feels himself compelled to decline availing himself of the provision intended for him."

The House having now gone into a committee, Lord Castlereagh proposed, without further comment, the vote of 6000*l.* a-year to the Duke of Cambridge. Mr Brougham did not conceive it as necessarily following from what had passed, that it was only needful to name a royal duke, to get him 6000*l.* a-year. He was certain, that if any thing could make the grief of the nation more poignant, it would be

the manner in which these wholesale grants had been proposed to other members of that illustrious house. If the principle was applicable to all the princes, why pass on to the youngest, and leave out one royal duke, whose character stood so eminent, whose public conduct was so excellent, and who had so particularly distinguished himself by the measures he had taken for relieving himself from those incumbrances which he believed could not be considered as imputable to himself? The Duke of Kent had already been mentioned. Much had been said of the private affairs of the Duke of Cambridge, and viewing, as he did, economy, not only as meritorious, but as a virtue, (and if not a virtue, the most rigid moralist would allow it to be the parent of many virtues), he should offer to his Royal Highness the tribute of his admiration. But his Royal Highness the Duke of Cambridge had practised it in circumstances which made that virtue comparatively easy. He had a large military income, and in Hanover he had an income which had been stated at 6000*l.* a-year, besides a town and country house, a shooting seat, with the use of the king's stables and servants. The cry of economy had gone forth from one end of the kingdom to the other; and if one kind was more loudly called for than another, it was that particularly connected with the Princes of the Royal House. If the sum was granted to the Duke of Cambridge, he did not see how it could be refused to the Duke of Cumberland.

Lord Castlereagh, in reply, observed, that it was not the fact, as had been represented by the honourable and learned gentleman, that the House was called upon to decide the cases in the lump. No lumping or general vote had been proposed; on the contrary, every question was a subject of special motion. According to the honourable

and learned gentleman's principle, when a marriage in the royal family happened to be desirable, from any circumstances, with a view to perpetuating the succession in the reigning family, the course to be pursued would be to search and pick out that prince who would be willing to marry on the lowest terms; and on the same principle any member of the family, however low or remote, provided he was lineally, or collaterally in the line of descent, if willing to marry with a less provision than another. He must acquit the people of England of harbouring any principle of economy so contemptible as that which the honourable and learned gentleman had attributed to them. If no proposition had been made for the Duke of Kent, it was merely because his Royal Highness's marriage was not at present in contemplation.

Mr Wilberforce, in supporting the motion, took occasion to express his disapprobation of the act relative to royal marriages. That act he did not think wise or salutary. It precluded the several branches of the royal family from entertaining the best feelings, and from forming connexions which would at once promote their happiness and guarantee their virtue. It seemed to imply, that they could be rendered better political characters by being worse men, which was one of the most mistaken notions, as well as the most immoral of public doctrines. The conduct of the Dukes of Kent and Sussex in devoting their time, in rendering their rank and influence subservient to purposes of charity and instruction, was such as to conciliate universal praise. It were to be wished that other princes, especially on the continent, would imitate such illustrious examples. On the whole, he thought that ministers had upon this occasion brought forward a very moderate demand, which the finances of the country could easily afford to meet. Mr

Tierney declared, that it was contrary to his private feelings of esteem that he opposed the vote to the Duke of Cambridge. Should his appointments in Hanover cease, he would be willing to make the allowance; but he considered these in the meantime sufficient for the purpose. Other members opposed the grant, which was, however, carried by a majority of 177 to 95.

Lord Castlereagh now brought forward, with much modesty and hesitation, the proposition of a similar grant to the Duke of Cumberland. Mr Brougham observed, that from the manner in which the noble lord had opened the measure, it was evident he did not feel the least expectation of prevailing on the House to adopt it. Yet the motion was at first received in a manner unexpectedly favourable. Mr Wrottesley said, if amiable conduct in private life, if dignity of manner, if goodness of disposition, could endear to the people of England an individual brought amongst them from a foreign country, he knew not of any personage in elevated life who possessed those qualifications in a higher degree than the Duchess of Cumberland. Mr Forbes appealed to the House, "would they object to the vote, and thereby offer an insult to those royal personages? Would they decide on the scandalous reports, which, he believed, were without any foundation whatever, that had been propagated against those illustrious individuals? He did not know those illustrious persons. He acted on public grounds alone; and doing so, he called on the House to consider the case well before they came to a vote—before they came to a decision—for he should insist on dividing the House on this occasion;" and Sir W. Scott said, that the Duchess of Cumberland had, during her residence in this country, discharged in the most exemplary manner the duties of her station. Her character was known, and by univer-

sal attestation approved. Nay, Mr F. Douglas, who had voted against the allowance to the Duke of Clarence, declared himself ready to vote for the present one. Sir John Newport, however, contended, that as the House had negatived a proposition of the same kind three years ago, they were bound to reject it in the present instance. Mr Wynn also remained staunch to his former purpose. Were they, he exclaimed, to be addressed with such language as "Will you enter into the character of the royal family?" when it was obvious, that in the cases of these grants, that character was of the greatest importance towards the settling of the question? Upon such occasions, was advantage to be taken of that delicacy which every man felt when he was destined to hear of his own failings? and was it to be assumed, that all that was said in praise of individuals, was to pass current for truth, because no one had taken upon himself the invidious task of contradicting it? No other marriage had taken place on which they had not called on the House to congratulate the throne; but upon that occasion they felt that there was no ground for doing so. A female of the highest rank in this country had testified her objection to the match by refusing to receive the lady in her presence. It was on these grounds that the former decision of the House was one that gave satisfaction to the feelings and morals of the country; and whatever had since been the conduct of the lady to whom he alluded, the best panegyric that could be pronounced on her was, that nothing further whatever had been heard of her. Notwithstanding, therefore, the favourable promises, at the opening of the debate, the grant was rejected by 149 to 136. The sum of £6000. was, however, granted as a jointure to the Duchess of Cumberland, in case of her husband's death.

The allusions made on these occasions by several members to the Duke of Kent, were not long of being met. On the 15th May, a message from the Prince Regent announced his approaching nuptials with a German princess, strongly recommended to the nation by being the sister of their favourite, Prince Leopold. The proposed allowance was passed with little opposition, and amid high panegyrics on the character of the royal Duke.

The Duke of Clarence meantime completed his proposed matrimonial engagement, without even accepting the reduced allowance made by Parliament. It was understood that the means of forming a suitable establishment had been supplied out of the private funds of the Royal Family. Lord Castlereagh, in remotely alluding to this circumstance, endeavoured to point out the disgrace incurred by the nation in obliging its Princes to look elsewhere for so essential an object; but this taunt produced no effect in the obdurate quarter towards which it was directed.

A bill was introduced by the Chancellor into the House of Lords, for altering some clauses in the Regency Act. The motive of the change was produced by the state of her Majesty's health, which rendered her residence at Windsor inexpedient, and which also afforded apprehensions of a speedy dissolution. In reference to the former circumstance, it was proposed to empower her Majesty to nominate four commissioners, in addition to those who at present aided her, in the custody of his Majesty's person. In reference to the latter, without, however, any express allusion to it, the clause which ordained, that in case of the Queen's ceasing to have the care of his Majesty's person, Parliament should be forthwith summoned, was proposed to be omitted, on account of the inconvenience it would occasion, and the care of his Majesty to be left in the hands

of the Commissioners, till the meeting of Parliament. Earl Grey opposed both these clauses, particularly the last, with great pertinacity, demanding, not very judiciously, the reason why it should be introduced at present, which, though well understood, it would have been obviously improper to mention. The House, on the whole, seemed to be satisfied, when the first clause was so far altered that the appointment of the Commissioners was vested in Parliament. The measure then passed with little opposition through both Houses.

This year concluded by a tragical, though for some time expected event in the Royal Family. The Queen after a lingering and dangerous illness, died on the 17th November. This event did not excite throughout the nation nearly the same emotion as had been caused in the former year by the fate of her daughter-in-law. There was nothing in it abrupt or premature. The Queen had for a long time led a retired life, and been little in the public eye. She had even lost somewhat of her former popularity; though the

investigation which this crisis prompted, seemed to shew, that this change of sentiment took place without any sufficient cause. She had, in fact, been a good queen, and had fulfilled all the functions of her high station, without overstepping them. She had performed all her domestic duties in an exemplary manner, and was never accused of any undue interference in public affairs. She shone peculiarly in the proper station of a queen, in maintaining the propriety and dignity of her court. Without any revolting austerity, she took unremitting care to maintain the strictness and purity of public morals. At a time when licentiousness of manners was making rapid progress among the higher ranks, her circle was irrevocably shut against all whose character had sustained any taint; and she thus, at a critical period, essentially contributed to the maintenance of that domestic purity which has so honourably distinguished the female character, in the nation over which she reigned.



## CHAPTER XI

## SCOTLAND.

*Proceedings in regard to Burgh Reform—Aberdeen—Dundee—Edinburgh.—Lord A. Hamilton's Motion respecting Proceedings in the Case of Mr. Kinley—Respecting the Set given to Montrose.—Lord Advocate's Bill for the Regulation of Scottish Burghs.—Proceedings relative to Interference in the Lanark Election.*

IN Scotland, the cause of burgh reform continued to be eagerly pursued, though its progress did not correspond to the sanguine expectations which its votaries had at first been led to entertain.

The point which, by every one interested in this question, was looked to with the greatest anxiety, was the decision to be formed by the Privy Council in the case of Aberdeen. On one side it was urged, that after granting a new set and a poll-election to Montrose, it was impossible, with any shew of reason or decency, to refuse a similar boon to a city, with claims so much stronger. The constitution of Montrose had been set aside solely on account of some unintentional and trivial omissions in point of form; and the new set had been granted merely upon the expressed wish of the parties concerned, without any circumstances clamantly demanding it. But Aberdeen had fallen under a catastrophe unprecedented in the annals of burgh policy. Bankruptcy, to the enormous extent of 230,000*l.* of

which the town was not even able to pay the interest, had exposed it to disgrace, and involved in loss or ruin many individuals and public establishments. The magistrates, under whom this disaster ensued, had openly acknowledged their own incapacity, and had pointed to the defective constitution of the burgh as the source of the dreadful condition to which it was reduced. After such a confession, was it possible even to contemplate the replacing of these magistrates, and this constitution unaltered? Whatever the Privy Council might feel or wish, the circumstances of such a case left them no choice whatever, but that of following the example of Montrose.

In reply to these arguments, it was urged by the supporters of an opposite system, that Montrose had been considered as a single and insulated case, such as it then stood. In this view, government, willing to gratify the wishes of a body of respectable individuals, had consented, too hastily perhaps, to adopt the proposed alteration. But the case was greatly

changed now, when all the floodgates of innovation were opened, when Montrose had become a signal for every borough, great and small, to put forth all its efforts for a change of constitution. In such a violent ferment of reform, the establishment of a second precedent would render it next to impossible to make any further stand;—the time was now come, at whatever cost, to mark the determination of government to proceed no further in this course. The individuals who were to decide, could not also fail to remark, that the very first use which Montrose had made of the boon granted to her by ministry, was to search out the most determined opposition member she could possibly find; and, by her casting vote, to secure for him the northern district of burghs. In defence even of the magistrates, it was represented, that the involved state of the city's finances arose, not from any embezzlement or idle extravagance, but from improvements highly important and useful to the place, though undertaken perhaps on too extensive a scale. The pier, in particular, whose repeated demolition involved them in so much expence, was an object of the highest and most indispensable utility. The magistrates themselves, though stunned with the first blow, had now changed their views, and felt themselves perfectly competent to undertake anew the administration of the city's affairs.

Ministers seem to have paused considerably on this occasion. On the 9th May, a committee of the Privy Council, among whom were Lord Liverpool, the Lord Chancellor, and Lord Melville, assembled at the Cockpit, and heard counsel on the subject. The result did not transpire for a considerable time. In August, however, the order of the Privy Council was issued, by which it appeared, that the decision had been made entirely on

the side of establishment and authority. Not only the former set was restored unaltered, but the old magistrates were authorized to elect their successors, in the same manner as if there had been no interruption of their existence. This decision excited in the votaries of reform equal emotions of disappointment and indignation. They now saw their error, in expecting that the executive would ever take the lead in promoting a popular reform. Not only were they baffled in the present instance, but it became evident, that even should they succeed in the tedious and expensive processes by which they sought to reduce the sets of the other burghs, the result would only be, as in the present instance, to fix the old magistrates more firmly in their seats. The only hope appeared in endeavouring to set aside, as illegal, this proceeding of the Privy Council. That body, it was alleged, had only power to renew the functions of the burgh, by giving authority for a poll-election, but not to vest this power in a body of men who, as matters stood, had no more concern in the burgh than any other individuals. Unfortunately, however, several instances occurred in the course of the last century, in which this expedient had been used, to restore the broken chain of election. It was observed, indeed, that these instances took place immediately after the rebellions of 1715 and 1745, and without any opposition on the part of the burgesses; but though these considerations might have weight in reason, it seems questionable how far they could obviate the legal precedent. It was, however, urged also, and seemingly with a good deal of reason, that, upon this system, the magistrates of every burgh in the kingdom, by neglecting some of the legal formalities, might throw their constitution into the hands of the crown, which had only to appoint its

own creatures to fill up the new list of magistrates. Indeed, we have already stated our opinion, that any intromission of the Privy Council with the sets of burghs, is contrary, if not to the practice, at least to the principles of representative government. A meeting of the burgesses of Edinburgh was held on the 5th November, and resolutions entered into, in which dissatisfaction was strongly expressed; and a determination stated to assist to the utmost their brethren of Aberdeen. At Aberdeen, the old magistrates, according to the authority given to them, hesitated not to elect their successors, whose installation, however, gave rise to some tumult on the part of the populace; and an assembly of the burgesses afterwards held, while they deprecated such conduct in the people, strongly expressed their regret, that a body of men should have acted thus contrary to the judgment of their fellow-citizens, and to their own recorded opinion.

As some compensation for this loss, the friends of reform gained this year one point, not of trifling importance. Among the old and regularly constituted burghs in Scotland, Dundee ranks next to Edinburgh and Aberdeen, in wealth and importance. Its constitution was still closer than that of any of the other Scottish burghs, being such as not to leave a single crevice by which any thing hostile to the reigning party could enter. So strongly, however, had public opinion declared against it, that the council itself, with Provost Riddoch at their head, professed their readiness to concur in some alteration of the set. As the sanguine hopes derived from the Privy Council were now greatly cooled, it was determined to have recourse to the Convention of Burghs, a body peculiar to Scotland, and whose functions were usually confined to mere formalities or matters of trifling im-

portance. This year, however, considerable interest was excited by its meeting, and precedents on both sides were carefully sought. It then appeared, that the Convention had repeatedly, on the agreement of all parties concerned, made alterations to a certain extent, in the sets of the burghs, which, when disputed, had been sometimes confirmed by the Court of Session, and when not disputed, possessed the authority of law. The demand of Dundee was merely for three open members; two of which were to be the dean and counsellor of Guild, to be elected by the guild-brethren, and a third trades-counsellor, to be chosen by the incorporated trades. Petitions were, however, presented from several incorporations, praying that they should each receive power to elect a member, and that otherwise, no alteration should take place. The lead in support of the measure was taken by Mr Gibson, who sat as commissioner from Culross, and Mr Henderson, commissioner from Kirkwall. On the other hand, Mr Kirkman Finlay, from Glasgow, and Mr Cook, who sat for Inverury, and was understood to speak the sentiments of government, expressed doubts, both as to the powers of the Convention, and the sufficiency of the consent obtained. The former doubts were strongly combated by Mr Gibson, who declared that he knew of no power of any body so strong and clear, as that of the Convention to alter and amend the sets of burghs. It had exercised it for 250 years, and to deny it, would be disclaiming its own privileges, and destroying itself. In regard to consent, it was observed, that the corporations which opposed the measure had no vested right in the magistracy, and that their opposition was therefore of no legal importance. After a great deal of discussion, the force of these arguments

was at length admitted; the demands of Dundee were granted, and the act amended as proposed, has ever since continued in operation.

The Edinburgh reformers continued during this year in full activity. They appeared, indeed, to have at one time a near prospect of attaining the object of their wishes. A sentence was obtained in the Court of Session, rendering void the last election of the magistrates of Edinburgh. The magistrates, however, by putting in a reclaiming petition, suspended the operation of the sentence; and as the answer could not be answered in the course of this session, the final decision was necessarily postponed till next year. This delay was of infinite importance to a fixed and established body, against a popular movement, which became always fainter, the longer it continued without effecting its purpose.

The transactions of the preceding years in Scotland, formed the subject of some warm parliamentary debates. On the 10th February, Lord Archibald Hamilton brought before the Commons, a motion respecting the proceedings in the case of M'Kinley. The present case, he observed, had every ingredient of gravity and importance. The subject related to the highest concern in this country, the purity of justice; the parties were the highest officers of the law as well as officers also of the Crown; the scene of the transaction which he was about to notice, was the highest court of criminal law in Scotland. His Lordship then alluded to the assertions made last session, by the Lord Advocate, respecting the seditious spirit prevailing in Glasgow, and the outrageous oath pretended to be there administered. Although there certainly might be some degree of discontent, no one could now doubt, that these assertions were highly extravagant, if not grossly slanderous. They tended

to inflame the passions of the moment, and to bias the minds of juries, who were to try the offences. He then directly alluded to the trial of M'Kinley, and first to the denial of access to the prisoner Campbell. The Lord Advocate said, that he had refused access to the witness, "to prevent tampering." And yet any man who attended to these proceedings, must acknowledge, that the whole evidence of the witness Campbell exhibited one continued system of gross and palpable tampering on the part of those very law officers of the Crown, who appeared so jealous and fearful of all tampering but their own. How the learned lord could have prevailed upon himself to give that answer, he was at a loss to conjecture, for the learned Lord must have known, that the whole of the law officers had continued access to Campbell; and what took place at these interviews, he, for his part, could call by no other name than palpable tampering. His Lordship then went over the declaration of Campbell, respecting what had passed between himself, Mr Drummond, and other law officers of the Crown, (as detailed in M'Kinley's trial, in our last volume.) Such proceedings were in direct opposition to all that they had been accustomed to venerate in the British constitution. The facts he had disclosed amounted to subornation of perjury. He could find no other term adequately descriptive of the transaction; for had M'Kinley been convicted on the evidence of Campbell, that conviction must have been obtained by perjury on Campbell's part, in swearing that he had received no promise of any reward, nor had any private motive in giving his evidence, and M'Kinley would have had an undoubted right to say, that he had been convicted in consequence of the unfair practices of the law officers of the Crown. Had Campbell, sti-

mulated as he had been, given false evidence, he should like to know whether the law officers of the Crown would not have been answerable for the crime. He would beg leave to remind the House of an expression which he was very happy to hear on a recent occasion fall from the Attorney-General, namely, that God forbid he, or any one officially connected with him, should have any intercourse with a witness in a case of public justice. He trusted that on the present occasion a sentiment so exalted would not remain in the honourable and learned gentleman's breast, but that he would repeat it in confirmation of his (Lord A. Hamilton's) opinions. It was the duty of the law officers of the Crown to uphold the dignity and interest of the laws: and he would ask whether, in the transaction under discussion, the law officers of the Crown in Scotland did not violate the sanctity and purity of the laws as palpably, and, indeed, more palpably than M'Kinley, in the crime with which he was charged. He concluded with moving for a copy of the records in the Court of Justiciary, relative to the trial.

The Lord Advocate denied that there was any thing overcharged in his former statements, either of the seditious spirit prevailing in Glasgow, or of the oath which had been administered. There was nothing to prove this, either in the course of events, or in the trial of M'Kinley. The indictment charged the prisoner with having been guilty of administering an unlawful oath to a great many hundreds of persons in Glasgow and its neighbourhood, the names of many of whom were particularized. The issue of his trial was a verdict by the jury of "Not proven." He spoke in the hearing of gentlemen opposite, who were intimately acquainted with the forms of law, and the distinction of verdicts in Scotland. They would

tell the House, whether or not he was incorrect in stating, that the distinction in Scotland between the verdict of "not proven" and the verdict of "not guilty," was this:—that when the jury were satisfied that the *corpus delicti* charged in the indictment was proved, and that the person charged was implicated in the guilt, although the legal evidence was insufficient to convict him, they returned a verdict of "not proven;" but that, if they were of opinion no *corpus delicti* had been proved, they then returned a verdict of "not guilty." In the case in question, the verdict of the jury was "not proven." The inference was—and he stated it without fear of contradiction—that the general fact charged in the indictment, of an illegal oath having been administered to several hundreds of persons in Glasgow and its vicinity, had been admitted by that verdict to be well founded. With regard to the Attorney-General's declaration of not communicating with witnesses, whatever might be the practice in England, it was impossible, according to the established laws of Scotland, that it should prevail in that country. Some communication with the witnesses was indispensable for the furtherance of public justice. The duties of the Attorney-General of England and the Lord Advocate of Scotland were in many respects different. The Lord Advocate was not only the public prosecutor as the Attorney-General was, but he was likewise a police magistrate. This arose from the circumstance of Scotland being a separate government without having a resident administration. He would ask, if any man could doubt, from what even Campbell himself had stated, that he had an interest in disqualifying himself from giving evidence? He had a palpable interest in not giving his evidence. As to the complaint of the counsel for the prisoner, that no ac-

cess was allowed them to Campbell, it appeared evident from Mr Jeffrey's statements at the trial, that there had been a communication between him and that witness. He would oppose to the evidence of Campbell, a statement made to him by Mr Drummond. The statement made to him by Mr Drummond was this—that on going to the Castle to visit this person, he had stated to him, that he was in the greatest terror of his life if he gave information; that at that time the only object that Campbell seemed to have in view was, the obtaining a promise from him of some measures to insure his safety after giving his evidence. After this, Mr Drummond did not go to the Castle of his own accord, but was sent for by Campbell. The person who came to him was the gaoler, who said that Campbell was anxious to see Mr Drummond. He went accordingly, when Campbell told him, that as a condition of his giving evidence, he wished to have a passport, and means to go abroad; that in such a case he was not only prepared to give evidence, but information; but that otherwise he could neither give evidence nor information. Mr Drummond then stated, that without consulting him (the Lord Advocate,) and having his authority, he could not take that course. Accordingly, Mr Drummond communicated the proposition of Campbell to him, and after consultation with the other law officers of the Crown, and after considering the question of law in the best manner they were able, they came to this conclusion, that they were not only entitled to make the witness the promise of a passport and the means of conveying him to a foreign country, but that they were even bound to do so—that they were bound to afford him protection in a way which he himself conceived was the only available way. He directed Mr Drummond, therefore, to make a

promise to him, that what he requested should be done. On the same occasion Mr Drummond communicated to him, that the prisoner was under the greatest apprehensions on account of his wife—that he was desirous of having her brought to Edinburgh, to be near a sister, and that he had applied to him for money for that purpose. Mr Drummond said he had told him that he could do nothing on this subject without his (the Lord Advocate's) authority. A letter from Campbell was afterwards brought to him. He stated positively, that as to giving any money to induce him to give evidence, that he could not do, and it ought not to be done; but he trusted that gentlemen on the other side of the House would not think that in the situation in which the witness stood he had done any thing unbecoming and improper in endeavouring to alleviate his case by bringing the woman to Edinburgh. On being informed of this request of Campbell respecting his wife, he gave directions that a place should be taken for her in a public conveyance by the magistrates of Glasgow; although he really did not know whether she ever came to Edinburgh. There was one part of the deposition of Campbell which the noble Lord had read in rather a lower tone of voice than the rest,—the concluding part of what he had stated respecting his conversation with Mr Drummond. He had there stated that no attempt was made to instruct him as to what he was to say. The same was stated by Sir William Rae. And from the beginning to the end of the deposition, he never alleged that one question was put to him by Mr Home Drummond, or any other person, as to the practice in which he was engaged. If they had had any sinister purposes in view, would they not have endeavoured to effect it by putting such leading questions to him? But they had acted with

that regard to the purity of testimony, that they had not put one question to him from beginning to end with respect to his own conduct. With regard to indulgences shewn to the prisoners, every indulgence was given to the other witnesses, as well as to Campbell. At the end of the trial, too, the prisoner M'Kinlay, after thanking the court and jury, concluded with thanking the Lord Advocate, "I wish to declare," he said, "that all liberty and indulgence was shewn to me in my confinement, which a prisoner can expect under such circumstances." Whether the witnesses chose clothes or books, their requests were indulged as far as possible. He wished to observe, in conclusion, that by this parliamentary discussion the noble Lord was interfering with the administration of justice of the country. Not one of the prisoners was arrested or tried on the suspension of the Habeas Corpus act. Every one of them was taken up on the common law of the country—and an action lay against the prosecutor of the Crown for having acted wrongously, and thus he was interfering with the remedy of these prisoners.

Mr J. P. Grant said, "This is as grave a charge, and on a matter as vital to the interests of the country, as ever was preferred to Parliament. The learned Lord has said that my noble friend, in bringing forward this motion, is interfering with the ordinary course of the law; and he has stated, that the persons arrested were taken up, not on the new law suspending the Habeas Corpus act, or the similar act in Scotland, but under the common law of Scotland; and that the persons who think themselves aggrieved may commence criminal or civil prosecutions. But is it any thing to this House, entrusted as we are with the care of the lives and liberties of our fellow-subjects—with the superintendence of the courts of justice,—

who are bound to watch their conduct with a jealous eye, and still more especially the conduct of the law officers of the Crown—is it to be told us, sitting here in Parliament, that private individuals may commence actions such as have been described? Sir, private individuals may bring such actions as the law allows, or they may abstain from so doing; but we have a great and important duty to perform to the public, from which, I trust, we shall not abstain. I do not mean to say, that the accusations against the learned Lord are true, but I will say that they are made on such authority, that they must be received as true in this House, till they are contradicted: and they stand to this moment uncontradicted even in statement, except by the statement of the learned Lord, in this House. I will ask the House, I will ask my learned friend opposite, (the Attorney-General), if this evidence be not true, whether he has ever, in the course of his experience, seen a single case where perjury might be so easily detected? Now, months after months have elapsed since this trial, on which evidence was given, imputing to these learned persons things which, till now, I did not believe any man would have allowed to remain uncontradicted. Yet no prosecution for perjury has been brought. The learned Lord has told us, that he acts as the grand jury in Scotland; he had nothing therefore to do but indict this man for perjury; and I give him my word of honour, that he, the learned Lord himself, could not be more pleased than I should have been, if the learned Lord had succeeded in rescuing from this reproach his own character, and the character of the profession to which I have the honour to belong." Mr Grant then went over the different parts of Campbell's evidence. He insisted, that the sending him to Prussia was a decided benefit, at a time

when a workman in Glasgow could scarcely earn 4s., or 4s. 6d. a-week. A pair of shoes, he observed, had certainly been given. Some expectations of money were held out; and the burning of the paper in presence of the Sheriff, could not lead to the conclusion, that there was nothing in it unfit to see the light. "Now I take upon myself distinctly to say, that if the witness did receive a reward, or the promise of it, on condition of giving testimony, though nothing should be said as to what the nature of that testimony was to be, the witness was by the law of Scotland disqualified. If the learned Lord means to say it is the law of Scotland, that a witness to whom a reward is promised for being a witness, is not disqualified to give evidence, I will meet him, not with my own authority, but with what is of much greater weight, the authority of some of the most eminent counsel at the Scots bar. An honourable and learned friend of mine, desirous of not trusting entirely to his own recollections of Scots criminal law, has been at the pains of obtaining an opinion, which I hold in my hand, signed by five eminent lawyers, whose names I do not think it necessary to mention.—[A cry of Name! name!]. The opinion, to which I allude, goes to state, that a person is disqualified from appearing as a witness, if he is adduced by the party who has promised him reward; and that the only case which seems to make against that opinion is the case of *Home*, mentioned in *Burnet*. But *Burnet* they considered as incorrect, and in their judgment of no authority.—[The call to name was repeated.] I have no objection to read the sig-

natures to this opinion, as it is the pleasure of the House that I should do so. They are these, George Cranston. [Hear! hear!]  
—I hope the learned Lord is satisfied—[Hear! hear!]  
James Moncrief, John Archibald Murray, Henry Cockburn, and J. Rutherford.—[Hear! hear! from the ministerial side]. I do not perfectly understand the meaning of these cheers, but I suppose they relate to most of these gentlemen having been of counsel for the prisoner. But I will ask the honourable gentlemen opposite, if they really think this shakes the authority of their opinion?" With regard to the knowledge which the prisoner's counsel possessed of Campbell's evidence, Mr Grant stated, Campbell had sent a detailed statement in writing of the facts, to which he afterwards deposed, to one of his learned friends, counsel with him for the prisoner. He contrived it in some ingenious way; he believed it was sent in a roll of tobacco.\* He wished to mention also, that at the consultation of all the counsel for the prisoner, which took place before the trial, there was but one who believed it possible that the thing could be true. It appeared to the rest impossible in its nature, and like many other stories to which the profession were accustomed, one under which (to use the technical phrase) they expected the witness would break down. It became a question whether the witness should be objected to on the ground of want of access. It was determined, however, in the first instance, to object to the witness on that ground, and, if they failed in that, to trust to the examination *in initialibus*.

Sir Archibald Colquhoun distinctly

\* The fact was, that Campbell threw his statement, rolled up in a roll of tobacco, out of his window, to another prisoner, who was walking on the terrace before the windows of the rooms they were confined in; and that prisoner found means to send it to one of the counsel.



asserted, that there was not a shadow of foundation for the charges this night produced; he denied that they were charges—they scarcely deserved so grave an appellation, since they rested upon bare assertion or distorted proof. The deposition of Campbell contained numerous contradictions. He asserted that Mr Drummond had offered him the place of a gauger; though at the time, he said, Mr Drummond was persuaded that his life was in danger, and that he could not remain in safety in the kingdom. The witness had said, that Mr Drummond believed that he could not remain safely in Glasgow, or in any other place. The deposition thus bore internal evidence of its own falsehood. The deposition of Campbell was a mixture of truth and falsehood, or rather composed of scanty leakings of truth, in an overflowing cup of falsehood. For his own part he was completely convinced that the Lord Advocate had acted with perfect propriety. He had a right to promise a witness freedom from prosecution—he had a right also by law to send him out of the country at the public expense. This had been called a reward, but he denied that it could be properly called so. To send a person into exile to protect him from his enemies, was not reward.—Mr Wynn was clearly of opinion, that there was room for enquiry. The question was, whether the House would inquire—not into the conduct of a court of justice—but how the servants of the Crown had conducted themselves, so as to draw down the unanimous disapprobation of a court of justice. It was said that the persons aggrieved might have actions against the Lord Advocate. It was right individuals should have compensation for individual losses,—but the House were guardians of the public, and had a right and duty to see that public functions were not abused.

Lord Castlereagh clearly thought that no ground of inquiry had been shewn; and that the conduct of the noble Lord, in instituting the proceedings, had been fully justified. This must be the conviction of every fair and unbiassed mind; it was established by the proceedings on the Bench, and indeed the whole course of the proceedings went to prove the fact, that a conspiracy of an extended nature did exist in the neighbourhood of Glasgow, where persons were bound together by secret oaths. Therefore, unless the purpose was either to punish Campbell for perjury, or to prosecute the Lord Advocate for the important steps he had taken, there could be no reason whatever for calling the record. Campbell's evidence had been considered by the Court absolutely so incredible, that it could not be entertained in any court of law whatever. And because this man's evidence was considered totally unworthy of credence in a court of justice, was it to be deemed worthy of credit in Parliament, and made use of there because it could be used nowhere else? How could the House examine Campbell? Would they have the vitiated testimony of such a man, in order to put Mr Drummond on his trial? would they take the evidence of such a man against such a character as Mr Drummond? If the House lent themselves to this sort of trick, and it was too much the fashion to get up cases of this nature—he must contend that the testimony of individuals would soon not be considered credible on their oaths.

Sir Samuel Romilly strongly supported the motion for inquiry. The noble Lord had contended, that unless the facts were manifestly sufficient to warrant condemnation, there should be no inquiry; whereas the fact was, it became necessary to inquire, because they did not know the facts. The learned Lord had told the

House, that the trial of M<sup>r</sup> Kinley proved the fact of unlawful oaths having been administered, because the verdict against him was "not proven." And so the learned Lord had presumed, that the House of Commons, in its ignorance of Scotch law, would be induced to believe that "not proven" meant "proved!" He had indeed asserted, that by the expression "not proven," the *corpus delicti* was considered to be proved, and that nothing was wanting but the bringing home of the guilt to the panel. But the House must see clearly what the verdict of "not proven" implied, that in the opinion of the Court the party was neither guilty nor innocent: that they considered there was no evidence to establish the facts alleged. It was clearly laid down in all the great law writers of Scotland, in Hume, Erskine, and Mackenzie, that "not proven" amounted to an acquittal: not indeed an honourable acquittal, but an absolute dismissal from the charge brought forward: that it was equivalent to the "non liquet" of the Roman law. The noble Lord had said it would be too much to call on such a person as Mr Home Drummond to answer the testimony of such a witness; but he (Sir S. Romilly) said, he would, when justice required it, call on Mr Drummond, or even the noble Lord himself—he would say that the noble Lord was wholly unfit for a judicial inquiry, if he was ignorant, that no man, be he who he would, whether Mr H. Drummond or the noble Lord himself, could avoid being bound on oath to answer when called on for the purposes of justice. There was no one so high in this country as to be screened from the obligation of answering to such a charge.

The Attorney-General thought he clearly saw in the account of that Campbell, the artful story of a cunning and designing man, who knew

how to disqualify himself where he did not choose to give evidence. When the learned gentleman, deprecating a communication between the Crown and its witnesses, had represented him to say, that he would not on any account communicate with his witnesses, the learned gentleman had fallen into an error, for he (the Attorney-General) must communicate with his witnesses—must be informed what they had to allege—or he could not know with safety when to prosecute or when to abstain. He had not said, that he never communicated with witnesses: he had only said, he never communicated personally: other communication he must have, or he should never know how to proceed.—As to the imputation cast on the learned Lord, he should have given the same advice as the learned Lord had done. If he had been told that a witness could not appear, lest his life, or that of his wife, should be in danger—whether right or wrong, others might determine—but he should certainly have considered it his duty to say, "assure him of protection." This was not tampering with witnesses. It was doing a duty which the public prosecutor owed to public justice.

Lord A. Hamilton replied, when the motion was negatived, though only by the majority of 136 to 71.

The contests relative to the constitution of the Scottish burghs occupied, in some degree, the attention of Parliament, though that quarter was not yet mainly looked to as the source of redress. A motion, made by Sir Archibald Hamilton on the 13th February, had even for its immediate object to censure the manner in which the new set had been given to Montrose. The act and warrant of his Majesty in council had taken to itself the privilege of granting a change in the set of the

constitution of the burgh; and this, he contended, was a usurpation of an illegal power—and although he was ready to admit, that the alteration was an improvement, and a benefit to the burgh, yet he must object even to a benefit, if it was conferred through the medium of a usurped and unconstitutional power in the Crown. He had endeavoured to avail himself of legal authority in Scotland by every means in his power; and he could find no authority, dead or living, which would sanction this extraordinary power in the Crown. At the same time, he condemned strongly the constitution of the Scottish burghs, and particularly the system of self-election in the magistrates, a practice contrary, to all reason, sense, and justice, and to every principle of the British constitution. Indeed, it was an abuse of such a nature, when applied to a corporate body which had duties to perform, that the wit of man could not contrive a mode better calculated to produce the most domineering arrogance in these municipal governors; and, in the helpless governed, the most abject state of subjection and servility. In several burghs in Scotland, the magistrates, if they chose, were, year after year, self-elected in perpetuity. In most, the matter of election was so managed, that it amounted to the same thing. In other burghs, the magistrates were not bound to reside, and, in fact, did not reside, and were rarely seen in the burghs, whose concerns they pretended to manage, except once a year, to be re-elected. He declared positively, however, that his views in no degree extended to any general plan of parliamentary reform.—Lord Castlereagh and the Lord Advocate replied, that, in the case of Montrose, there was a complete unanimity and acquiescence in all parties concerned;

that if the measure had been considered unconstitutional, redress might have been sought in a court of law, or in the Convention of Royal Burghs. With regard to a general change in the constitution of Scottish burghs, although this might not have parliamentary reform in view, it could not take place without in a great measure having that effect. It was not believed, that there was any such general discontent as had been represented. The only real grievance consisted in the want of control over the finances of the burgh, and the Lord Advocate had a bill in preparation, for the express purpose of remedying this evil. Lord Archibald did not attempt to push his motion to a division.

On the 10th April the Lord Advocate introduced his promised bill before the House. The measure he had in contemplation was one which would partially revive the obsolete laws of the country, which called the magistrates to account for the revenues in the Court of Exchequer. In addition to this, it would impose upon them an obligation to submit their accounts annually, and that they should also be exposed to the burghesses to consider of the expenditure; and if they saw grounds of an improvident expenditure, they should have a right to complain. But this might not in certain cases prevent the misapplication of the funds by the magistrates, or from their entering into speculations by which dilapidations might arise. He should therefore propose, that the Court of Exchequer, on the complaint of five burghesses, should have the power of controlling the actual expenditure.

Lord A. Hamilton was happy to hear the learned Lord admit the existence of a defect in the constitution of the Scottish burghs; but thought the present measure calculated to afford only a partial remedy. The petitioners complained, not merely that they had

no control over the expenditure of the revenues of the royal burghs, but that they had no voice whatever in the election of those very magistrates who disposed of their property. That grievance, he supposed, the learned Lord meant to leave wholly untouched. He regretted now, that he had been prevented by the expectation of this measure, from introducing the subject to the House on a more extended scale. The bill was read a first time; but a considerable number of petitions were presented against it, and it was generally considered, by the persons interested, as unsatisfactory and inadequate. Being sound, therefore, rather to aggravate the discontent which it was intended to sooth, the Lord Advocate finally determined to withdraw it.

Lord Archibald Hamilton, on the 10th April, brought forward a motion respecting the interference of a peer in the election of a member of the House of Commons. It had occurred in the course of his Lordship's contest with Sir Alexander Cochrane for the county of Lanark. The offence was contained in the following letter, from a person pretending to have the authority of Lord Douglas:

*"Glasgow, May 24, 1817.  
No. 50, Miller street.*

"Dear Sir,—According to your desire, I communicated to Lord Douglas your wish to have a situation under government for your young friend Mr Dykes; and I am authorized to state, that if you support his Lordship's views in politics, at the first election, his Lordship will secure an eligible situation for your friend, which will be of great advantage to him; and as you are independent of the Hamilton family, I think you should accept of Lord Douglas's offer. If you have not made a promise to Lord Archibald Hamilton, I think you have good

grounds to get clear off from what you mentioned regarding your vote, for you certainly have not been well used.

"If an application is made to you from the Hamilton family to promise your vote, I think you should not grant it, until I see you in Glasgow, when I will tell you all about the matter. Sir Alexander Cochrane is not at home just now, otherwise I would have written you more particularly: have the goodness not to mention this matter until the whole is arranged. I will write you when the noddy is painted, and I hope to have the pleasure of seeing you and Mrs Dykes at Glasgow.—I am, dear sir, your most obedient servant,

• THOMAS FERGUSON."  
(Addressed)

William Dykes, Esq. of Lambhill,  
by Strathaven.

Lord Archibald acknowledged the receipt of a letter from Lord Douglas, giving a general denial, that the letter in question was written by his authority. He insisted, however, that this did not supersede inquiry; and, besides, the answer which he had received from the noble Lord to the communication which he had made to him, was, as he had before observed, couched in terms so general, as not to be altogether incompatible with the inference that Ferguson's letter had been written with the noble lord's authority.—Mr Wynn said, that this was a case of direct bribery—a most serious invasion on the privileges of the House. The Lord Advocate insisted that there was no proof of the object of the motion,—the interference of a peer in the Commons election. They had the positive denial of Lord Douglas, while the person using his name was not even a factor on any of his estates; nor, so far as he knew, at all in his employ. He thought the

more proper course would be to put Ferguson upon his trial; and he would be ready, to the best of his abilities, to execute any order the House might give upon this subject. Lord A. Hamilton having complained of other unhandsome measures used to exclude him from Lanarkshire, the Lord Advocate declared, that he knew of, and had been concerned in none; but he could not help observing, that the Duke of Hamilton had made, out of his great estate in Lanarkshire, thirty votes, called parchment votes, to secure the election of the noble Lord. After some farther debate, it was determined to refer the question to a committee of privileges.

On the 27th April, Mr Wynn presented the report of the committee, which bore, that Thomas Ferguson, by the above letter, had grossly violated the privileges of the House. On the reading of this report, Ferguson was immediately ordered into custody.

On the 5th May, Sir F. Burdett moved for the immediate discharge of Ferguson. He insisted that his offence was only similar, but in a smaller scale, to that which had been proved against Lord Castlereagh, and some other members of administration. Yet Ferguson had been dragged from his country and family, and shut up in Newgate, for an offence ten times less. Lord Castlereagh observed, that, without giving any opinion on the case of Ferguson, he could not help remarking, that the only object of the honourable Baronet appeared to be, to lower the character of the House. He did not feel at all sore on the personal allusions to himself; that subject having met with the full consideration of the House. Mr Wynn strongly opposed the motion of Sir Francis, which was then negatived.

On the 13th May, Mr Wynn moved

for the removal of Ferguson from the office of surveyor of taxes which he now held. This very office rendered it illegal for him to interfere, yet he had not only done so, but had used, without any authority, the name of a peer of the realm. Mr Wynn endeavoured to prove that dismissal from office had been the uniform punishment inflicted by Parliament in such cases. Sir F. Burdett, however, moved the reading of the petition of 1793 from the friends of the people, stating that a majority of the House were nominated by peers; and also the resolution of the 21st April 1793, relating to the great Grimsby Election, by which the Hon. W. W. Pole was declared guilty of bribery through his agents. Lord Folkestone, however, could not agree, that because great offenders escaped, small ones should plead this escape to secure impunity. Mr Bathurst, on the ministerial side, supported the motion; but Mr Sturges Bourne, Mr Lyttleton, Lord Binning, and Mr Canning, thought that Ferguson had already been sufficiently punished; that it would be unfair to use his own evidence against himself, and also to deprive him of all means of subsistence. The motion was then negatived by a majority of 106 to 57.

Meantime, Ferguson continued still under confinement. Having, however, on the 18th presented a petition for release, Lord A. Hamilton, on the following day, stated that the House not having judged proper to visit this person with loss of office, he considered his confinement to have now continued for a sufficient length of time, and moved that he should be to-morrow called up and discharged. The motion was acquiesced in by Mr Wynn, and Ferguson was accordingly discharged next day, with a severe reprimand.

## CHAPTER X.

## FRANCE.

*State of Parties.—Law respecting the Press—Debates in the Two Chambers—Rejected.—Law for the Recruiting of the Army—Agreed to.—The Budget.—The Concordat.—Congress of Aix-la-Chapelle.—Treaty for the Evacuation of France by the Allied Powers. •*

FRANCE, at the commencement of the present year, might be considered in a decidedly improved situation. Every period, however short, which elapsed without any actual commotion, was so much gained for the monarchical and constitutional system. The failure of all the hopes and efforts of the votaries of the former regime, tended much to lower the hopes which had hitherto buoyed them up. Those daring spirits, which had lived in the lofty excitement of war and adventure, began in despair to apply themselves to regular and peaceful occupation. A confidence in the permanence of the existing order of things tended, beyond any thing else, to secure that permanence. This confidence began to diffuse itself even among the other powers of Europe; and France was allowed to hope for some release from those enormous burdens, and that humiliating subjection, which had succeeded to her former wide extended dominion. Finding thus, after such awful vicissitudes, the sun of tranquillity beginning to dawn, she applied herself now to the settlement of her internal administration. Almost all the measures bearing on this tendency, which had been hitherto taken beyond the charter, could only be considered as temporary and provisional; it was now time to fix them on a durable basis. France, thus occupying herself in tranquillity with the establishment of a new order of things, had many sources from which she could cull improvement. She could preserve or restore whatever was worth preserving in her ancient regime; she could retain all the improvements introduced by successive revolutionary systems, cleared from their attendant deformities; in fine, she could borrow from her neighbours whatever appeared most eligible in their respective institutions. These delicate operations, however, were to be performed amid external tranquillity indeed, but a violent conflict of parties within. The parties to which the French Legislative Assemblies afforded the arena of contest,

were arranged in a very unusual order. The natural division in a mixed government, and that always verified by British experience, is into the court and country party, the Whig and Tory, into one which seeks continually to extend, and another, which seeks to limit the power of the monarch. In France, on the contrary, the moderation of the King, with the delicate and perilous situation in which he stood, made him more afraid of his too vehement friends than of his open enemies. His ministers endeavoured to take a middle station between the ultra-royalist party on the one side, and the ultra-liberal or semi-republican on the other. They had thus to contend against not one, but two violent and inflamed oppositions. The strictly ministerial party formed a decided minority, as the votaries of plain reason must always be; yet, by the influence of the Crown, and by concessions to the more moderate members of the parties contending on either side, it was converted, on most questions, into a narrow majority. The hope, which might seem reasonable, of playing off one opposition against the other, was usually disappointed. When the vote came, these two furiously hostile factions usually coalesced against the measure of ministry. They opposed it, indeed, on completely contrary grounds; but still they equally opposed it. The high royalists, perhaps, were those who viewed the measures of the Court with the deepest hostility. These were men of principle, like the old English Tories; they supported monarchy against monarchy itself—supported it without hope of the usual rewards, but in the face of neglect and almost persecution. This body considered itself as deeply and mortally wronged. The Sovereign appeared to them to have been seized

with a fatal frenzy, which made him treat as enemies the only persons who were really attached to himself and his cause; while some of his worst enemies were counted in the number of his friends. To this preposterous system they attributed all the disasters which had befallen the house of Bourbon since its first restoration, and augured others equally fatal as likely to ensue from their obstinate perseverance in it. The opposite party considered the Court as its natural enemy, and though it pushed the opposition with rigour, felt not those stings of disappointed expectation and personal enmity, by which the others were so deeply embittered.

In this state of things, the session of the Legislative Body, opened on the 5th November, 1817, excited an extraordinary interest. The first question which gave rise to discussion was the law proposed by government relative to the liberty of the press. A free press had been nominally recognised by Louis in the charter; but subject to such regulations as might be necessary to repress its abuses. The regulations made on this ground had been hitherto such as to render the principle in a great degree nugatory. In the present proposition, the restraints were very far from being abrogated. A distinction was made between crimes and offences against the law; the former, of rare occurrence, were alone carried to the higher tribunals; the latter, including almost all those which incurred the animadversion of government, were placed under the jurisdiction of the police, before which were dragged the most distinguished authors along with the refuse of society. There was, nominally, no censorship, unless on the journals; but an author was required, some time before the actual publication of

his work, to deposit a copy in the office of police; and this deposit was, in the eye of the law, considered as a publication. In mitigation of this, he was, upon allowing the whole impression to be seized, absolved from any farther penalty. The offence was also proscribed at the end of a year, reckoning from the day of deposit. The censorship on Journals and periodical works, which treated on politics, was proposed to be continued till the 1st January, 1821. This last article was defended by M.

squier, the keeper of the seals, as necessary in the situation of the kingdom, in circumstances improved doubtless, but still serious, among a people scarcely escaped from a long political convulsion, which had seen almost all its ancient legislation condemned, without being able to conceive for the new system that species of veneration which time alone brings in aid of human institutions.

In France, all projects of law must pass through a committee before any debate on them takes place. The committee could not consider the deposit of a book as a publication; at the same time, they considered it advisable, that government, thus advertised of the existence of a work dangerous to the state, should have the power of prosecuting prior to the actual publication. To exempt, however, an author from prosecution, upon his agreement to suppress his work, appeared to them "an awkward capitulation between the accusers and the accused, suited to the dignity neither of the man of letters nor of the judicial power." It proposed to continue the censorship on the Journals only till the end of the following session. Trial by jury, and even by a special jury for the purpose, had been proposed by some members, but rejected by the majority.

The first opponent of the measure was Baron Martin de Gray, who considered the subjection of the press to the police, and the system of prosecution and seizure prior to publication, as more injurious than censorship itself. What the law called offences against the press, were much more important than what it called crimes. These last were only of rare occurrence. Offences against the press differed from all other offences. They acted on the whole social system. "They are connected," said the orator, "with the liberty of thought, on which all other liberties depend; for the manifestation of thought is the moving and vital principle of every free and representative government. In the judges, who are to pronounce on those offences, how important to secure impartiality, independence, intelligence, and almost a turn of mind expressly suited to that particular object. Yet, in a country which has consecrated the institution of jury, the police courts are to decide on the exercise of a right which is the very soul of our constitutional system; these subaltern tribunals are to sit in judgment on thought, on genius, on opinion, that queen of the world, as they sit on beggars and on vagabonds. You empower a common police-officer to fix the limits of thought, and to say to human reason, 'thou shalt go no farther.'—Another respect in which these offences differed from all others consisted in the interest which government must always take in the decision. All governments aim at the extension of their power: for they are composed of men; they aspire to despotism, and their main attack is uniformly directed against the liberty of the press, because it is the strongest barrier against absolute power. Hence that natural, and as it were innate struggle, between



power and opinion; hence, that eagerness of government to enslave opinion, which it would be so easy for them to make an auxiliary; to enslave it sometimes openly, sometimes in an insidious and deceitful manner, to seize and chain this Proteus, which escapes from them under a thousand shapes." In such a case, did not a jury afford a better security than subaltern tribunals, composed of judges naturally connected with ministers, and exposed to their influence? In admiring, however, this institution, as it existed in Britain and the United States, he reprobated the idea of a jury, such as was made by the men of Buonaparte, the list of which was in the hands of a prefect. The orator then inveighed strongly against the censorship of the Journals, as subversive of representative government, which it tends to deceive respecting the national opinion, and to surround it with a factitious opinion; as contrary to the right of property, which it controls and suspends at will in the hands of proprietors. It appeared to him, that without this there would be a thousand modes of keeping a watch over the Journals, and of preventing the imminent evil which they might produce. This might be done, either by suspending their impression, seizing their copies, or exacting a large security from their proprietors; as well as determining by law the punishments to be inflicted on them according to the nature of the offence.

Mr Ganilh supported the same side. In studying history, observing, particularly in England, the effects of the liberty of the press, he could see no reason to suspend that of the Journals; their monopoly is like every other monopoly, fatal to the country which it wishes to protect, and to the government which it wishes to favour. Nothing can supply the want of these echoes of public opinion. To them it

belongs to utter truths which could not be expressed without danger even in the Chamber. If the liberty of the press has inconveniences, it is like the lance of Achilles, it heals the wounds which it makes. The Marquis of Chauvelin argued on the same side. This silence, at bottom so injurious to authority, must be broken every year under a representative government; then comes a moment when those severe truths must break forth, particularly due to the people from their functionaries, when they are become the sole agents of their complaints. Then those late and long suppressed truths, as they issue forth, a sort of explosion a hundred times more terrible than the daily expression of opinion purified by contradiction.

M. Villele, from whom, as a high royalist, other opinions might have been expected, zealously supported the same side. "An attempt," said he, "thus to substitute arbitrary power for the reign of the charter, to employ under the Bourbons means worn out under Buonaparte, shews a strange ignorance both of the Bourbons and of the French; it exposes equally France and legitimacy. France can avoid new convulsions, the throne new catastrophes, only by the union of all Frenchmen around their legitimate King. This union can be effected only by confidence; confidence can be established only by the frank and complete execution of the laws substituted at the restoration to those which, during centuries, united France to the reigning family." Other members of the same party complained, that those writings only were allowed to be published which were contrary to religion, to morals, and to the interests of a class whom the government wished to cover with opprobrium; that the Journals were open only to calumny, and shut against the justification of the supposed opponents of ministry.

Even M. de Bonald, while strongly supporting the censorship, lamented the lot of writers, who, for some erroneous expressions, were obliged to seat themselves between swindlers and prostitutes. This party too demanded a jury, but a jury composed of men of rank, of great proprietors, of persons essentially friendly to stability.

In reply to those arguments, the Keeper of the Seals maintained, that the arrangement respecting the Journals was necessary for the re-establishment of order, for the extinction of party enmities, and for the maintenance of the general tranquility of Europe. It appeared to him evident, that the ordinary means of repression could not be applied to these diurnal effusions; and whatever may be said of their influence and utility, he could never resolve to assimilate them to literary productions, inspired by genius and disinterestedness, matured by reflection, and corrected in the silence of the closet. With regard to the seizure of books before publication, notwithstanding the opposite system of a neighbouring people, it appeared to him conformable to the clearest laws of the just and unjust. Could it be just, that there should exist a species of crime or offence, which had the privilege of being boldly consummated beneath the eyes of justice, the author of which might be prosecuted, yet the completion of which could not be prevented? If government has a right to make the seizure on publication, this right must exist when the intention of publishing is fixed and declared, and has begun to be executed. With regard to the appointment of a jury to try the abuses of the press, he conceived that this would form too important a clause to be brought in as an amendment; at the same time he un-

dertook to prove, that the institution was not suited for such an object. The function of a jury is to judge of the evidence of facts, a task which requires neither extensive knowledge nor any brilliant qualities of mind. The questions which ought to be put to them ought never to rise above the most common intelligence. Crime has too obvious a character to escape the most common observation; but it is otherwise with offences, the shades of which, varying to infinity, cannot be decided without a knowledge of law, and the talent of judicial functions. How then are the offences of the press suited to the cognizance of a jury? There are none surely more difficult to appreciate, none more remote from that simplicity and palpable evidence, of which a jury stands in need. A special jury, composed of enlightened men, of great proprietors, would be no longer a jury, but judges, who would by no means present the same security as those who sit daily in our tribunals. The irremovability of judges secures their independence, and the condemned have an appeal to the Royal Court, of which they would be deprived after the judgment of a jury.

M. Ravez insisted, that the deposit of a book might at least be considered as an attempt; and that the law punished the attempt to commit a crime. Indeed the deposit required by the law of 1814 is the official publication of a work; and if it could not be seized before its circulation, seizure would be altogether illusory. Juries, to judge of minor offences, would be inconsistent with the principle of French law, and would overthrow the judicial hierarchy. The variety of sentiments on the opposite side, some wishing a special jury, others a superior, and others the ordinary jury, shews the impossibility of agree-

ing on the subject, and affords another argument of its unfitness for the object proposed.

The last speaker on this side was the Count de Caze, then Minister of General Police. He expressed his satisfaction at meeting adversaries in the two opposite sides of the Chamber, concluding that the law was such as it ought to be, since it revolted equally all violent extremes. He then explained in a few words the objects proposed by ministry: "To royalize the nation—to nationalize royalism—to protect all acquired interests, all properties—to maintain a direct and complete equality—to make the past be forgotten,—to extinguish hatreds—to make power be loved and respected—were the objects proposed by government, the end which the King had in view, who cannot be the King of two nations, and can only have one balance and one justice. Government demands the censorship of the Journals, to prevent a struggle between passions and enmities, which would be fatal, not only to the state, but even to the very persons by whom it is desired.

After long debates, which lasted from the 11th to the 20th December, the Keeper of the Seals announced, that the King had granted his consent to the clause by which the censorship on the journals was to terminate at the close of the session of 1818. This clause, however, was opposed by several members, and carried only by a majority of 131 to 57. The opposite side reproduced the project of a jury, against which the previous question was twice carried with great difficulty. At length, the entire law being put to the vote, was carried only by a majority of 11; there being 122 for, and 111 against it.

The bill had still to pass through the Chamber of Peers, where the report

was presented by the Count de Lalli Tollendal. After stating a general opinion in favour of the law, it concluded with the following somewhat remarkable expressions: "Those whom the law is about to invest, for the fourth time, with an extraordinary power, will certainly watch more scrupulously than ever, that their agents may not renew the abuses which have been complained of. It would be equally fatal to themselves, contrary to the dignity, and dangerous to the sentiments of a great nation, and of loyal subjects, to be ignorant of what is passing amid them and around them. Thus we may hope, that, even during the suspension of the independence of the journals, the moral character of authority may effect what cannot yet be expected from the legal character of liberty."

The discussion in this Chamber assumed a very different tone from that of the Lower Chamber. The Abbé de Montesquieu hesitated not to advance the boldest aristocratic principles, and even to regret the departure of the feudal ages. "Our fathers," said he, "set their chief value on honour and chivalry,—we on money and commerce. They founded great corporations,—we have destroyed them; they dreaded the excess of population,—we think it cannot be too much encouraged; they cultivated literature with reserve, and almost with distrust,—while with us it has become a favourite occupation." The liberty of the Journals, he urged, necessary, perhaps, in England, to temper the aristocracy reigning in its government, would be destructive to ours. France and England have nothing in common, but the combination of the two Chambers in the making of laws. How could two governments so different, be subjected to the same regulations? How could the monarchical principle, deprived

support, and left naked, as in our constitution, sustain the same shocks as in England, where an imposing aristocracy, covering it on all sides, effectually repels the attacks directed against it? He did not wish to revive the two extinguished orders of the nobility and clergy; but that there should be around the throne, and above the people, a virtuous, enlightened, respected body of men, from whom the people might receive the degree of instruction suited to their wants; for in vain could they be called to share the benefits of more extended information. Devoted by that condition to hard and painful labour, the preservation and increase of bodily strength ought to be their only object. The culture of the mind, the sweets of civilization, are neither agreeable nor useful to them. It is enough for them to borrow from a more enlightened class, notions of justice, of morality, of religion, which may guide them in the performance of their duty. All the economy of society rests on the existence of this higher class. Aristocracy is the basis of government; in attempting to remove it, we leave the throne without support, and renounce every species of government. The orator then deplored the blindness of those, from whose sound monarchical principles better might have been expected, who yet favoured the liberty of the Journals, and sought the alliance of a party, which once victorious, would make them the first victims. Far from incurring such a reproach, he voted, as he always had voted, and always would vote, against a liberty, the evils of which did not appear to him compensated by any advantage whatever.

On the other, M. Chateaubriand, who equally held the principles of high monarchy, adopted an entirely different opinion with relation to the present question. He considered as

palpably unjust, the law which treated the act of deposit as a publication. "In vain," said he, "is it incessantly repeated, that we must prevent crime, in order to avoid the necessity of punishing it. This maxim is granted to an absolute, but cannot be applied with the same rigour to a representative monarchy. There the independence of public opinion is the first want, the most powerful spring of government. Do you believe," said the noble orator, "that favour would have been shewn to certain passages in the Characters of La Bruyere, and the Persian Letters of Montesquieu? yet I confess, I should see with pain La Bruyere and Montesquieu dragged before the police, and confounded with pickpockets and prostitutes." M. Chateaubriand finally complained of the treatment experienced by individuals, and particularly of the persecution against his own party. "What," said he, "is become of the liberty of opinion, even in the Chamber? Every member of the minority who rises, must first ask himself if he has any thing yet to lose, if all his sacrifices are already made. If the liberty of opinion ought to be respected any where, is it not in a peer, in a deputy, whom his oath obliges to declare it whenever he thinks it may be useful?" He could not, without profound grief, see the most worthy servants of the king bearing the penalty of this freedom of speech. He preferred the existing law, as provisional only, to the proposed one, which would render permanent the evils attached to it.

M. de Cazes, and the Keeper of the Seals, who, according to the French constitution, have the power of speaking in both Chambers, used the same argument in favour of the law, as in the Lower House. The Keeper of the Seals, however, opposed the amendment made by the Chamber of

Deputies, by which deposit was no longer to be assimilated to publication, and to form a ground of judicial procedure. If this amendment were admitted, the author or printer, after depositing the book, might wait the favourable moment for its publication, and fatiguing the authorities by delay, might surprise them by the sudden distribution of a dangerous work, which would otherwise have been prevented. The clause, however, was carried by 160 to 86.

The crisis of the bill now came, and the issue was different from what had been generally anticipated. On the 23d January, the vote being put on the entire law, there appeared for it 59, against it 102; majority against the law, 43. Thus this project, which, during nearly two months, had occupied the exclusive attention of the Chambers and of the public, and had called forth the talents of so many orators, ended in nothing. As matters stood, however, the result was agreeable to both parties. Ministers considered the clauses introduced, particularly that of deposit not forming a ground of legal procedure, as nearly annulling all the checks which they possessed upon the operations of the press, and preferred going on with the present law, which afforded them very extensive jurisdiction. The opposite side were also pleased, because, however unsatisfactory the present state of the law was, the growing strength of the friends of free discussion, both in and out of the Chamber, inspired sanguine hopes, that the renewal of the contest next year would produce a more favourable issue than could have been hoped for on the present occasion.

The next project submitted to the Chambers, had in view the restoration of an army to France. That country, which once domineered so high over the other nations of Europe,

was now, like the lion in the fable, a prey to the weakest of its former enemies. Those terrible legions, which scattered before them the veteran armies of Russia and Germany, presented now only a mass of officers without troops to command. Nor did France possess any present means of supplying this deficiency. Her revenues, exhausted in supporting the vast foreign armies with which her territory was burdened, afforded no supplies for maintaining an army of her own. The minister himself, in submitting the project, stated, that it was a great measure only for a proper army, and that no more could be raised at present than were necessary for garrison-duty. It was now, however, proposed to submit to the Chambers the permanent system, upon which the peace establishment of the kingdom was to be placed, leaving it to time to enable the executive government to carry it into full execution. According to the plan submitted by ministry, the peace establishment was to be fixed at 240,000 men. The recruits were to be raised, as far as possible, by voluntary enlistment for six years; without, however, any bounty being given. The deficiencies of this enlistment were to be supplied by what was called *appels*, or compulsory service. The subjects of this levy were to be the young men who, in the course of the preceding year, had completed the age of twenty; but the total number of recruits raised in one year was not to exceed 40,000. The dismissed veterans were to be formed, during six years, into legions for the defence of the territory to which they belonged. In time of peace they were to be subject to no service, and in time of war could not be marched out of their own military division, unless by virtue of an express law. The most remarkable part of the plan consisted in the regula-

tions on the subject of promotions. No one could be an inferior (or what we call a non-commissioned) officer, till he was twenty, and had served at least two years in the regular army. No one could be an officer, till he had either served two years as an inferior officer, or had gone with success through the exercises of the military schools. A third of the sub-lieutenants were to be drawn from the inferior officers. Two-thirds of the places of lieutenant, of captain, of chief of battalion, and of lieutenant-colonel, were to be given according to seniority. No officer could rise to the superior rank, till he had been two years in the one immediately inferior. These regulations could be dispensed with, only from necessity in time of war, or in consideration of brilliant exploits noticed in the orders of the day.

The plan for embodying the disbanded veterans into legions for internal defence, called forth vehement strictures from both sides of the House. By one it was urged, that these troops, having obtained a free and full discharge, could not justly be called again into active service; that of the 180,000 men disbanded in 1815, there were so many who must then have been, or have since become, unfit for active service, and so many who could not now be traced, that the number would not be sufficient for the object in view. The Ultraroyalists, on the other hand, thundered against this measure, as calling into action a force from which legitimate monarchy had every thing to dread. "What more," exclaimed the Count de Sallaberry, "could be wished for by these daring and ambitious men, who will not yet renounce the idea, that their banners may again float on the capitals of Europe? What other wish could be formed by hundreds of young madmen, trained, to

their misfortune, in the precepts of a master whom the allied powers, in the name of humanity, have condemned henceforth to repeat only to the echoes of St Helena those ferocious and impious words, 'men are made for slaughter, and the sabre, is the legitimate sceptre of the world?'" The orator then deplored the wrongs sustained by the most faithful friends of the king. "The enemies," exclaimed he, "of the monarch and of legitimacy, could wish for nothing more than to hear his Majesty's ministers propose, on pretence of economy, to dismiss those faithful soldiers who, from fraternity in arms, from community of danger and glory, had ceased for many ages to be foreigners in France; soldiers who might truly be said to be naturalized by the blood which they had shed for France and for its kings. Nothing but an army was wanting to the genius of evil; and now it is to get one. It thus hopes to re-establish the illegitimate government on the ruins of the charter and of legitimacy, — on the ruins of the throne, — at the foot of which will fall those true servants, whose vain fidelity will then be seen and acknowledged, when it was too late."

These observations were answered by M. Bignon, who said, "We must tell those who are frightened by the phantom of the old army, that their prepossessions are unjust, their alarms unfounded; above all, that the dread of imaginary harm often given birth to real danger. For such a crisis like that from which we have escaped, for such evils as we have suffered, there is only one remedy—*oblivion*. Oblivion alone can heal the wounds of a long agitated state. He who will not sacrifice to oblivion, prepares new dangers, new tempests for his country. What Frenchman does not need to forget something, if not for himself, at least for his family,—his bre-

thren,—his children? Error has been in every camp; it has been in the walls and out of the walls; it has marched under every banner. Over whom would the king now reign, if he had not known what it was to forget?" The orator then pointed out the advantage which the army would derive from a mixture of veteran soldiers and experienced officers, while otherwise it must be composed altogether of new levies; that it would be dangerous to leave the old army entirely without, and distinct from the existing army; that these distinctions must be made to disappear, and these shades to melt into each other.

The *appel*, or compulsory levy, was strongly objected to, as renewing all the evils of the conscription; but it was answered, that the mode of voluntary enlistment had been tried and found insufficient; and that there was no other mode of levying an army. The new regulations, besides, were calculated to do away that indiscriminate severity with which the conscription had been enforced. The clauses relative to promotion met with opposition on both sides of the Chamber. One represented it as depriving the king of his just rights in the appointment of officers, while it opened advancement to individuals who had no other qualification for high command but long service. In their view, the higher places in the army ought not, unless in extraordinary cases, to be open to soldiers risen from the ranks; but they ought in general to be confined to those whose situation in life gave them the means of more extended information. An opposite class of reasoners contended, that the proportion of a third to be raised from the ranks was too small; and that to draw all the rest from the military schools, was allowing too great an advantage to the aristocratic classes. Against both these opinions,

ministers contended that the plan proposed was on the whole best calculated to reward at once merit and long services, and to maintain the army in an efficient state.

The question, after all, upon which the Chamber was most strongly divided, was one which arose unexpectedly in the course of the debate. According to the project submitted by the Crown, the amount of the peace establishment of the army was permanently fixed. Several members demanded, that its amount should, as in England, be the subject of an annual vote. M. Chauvelin urged, "The Charter has given to the two Chambers the right of discussing and voting the taxes. Forced levies are a tax in men,—the most burdensome of all to him who pays it. It has reserved to them also to determine the mode of recruiting. Under both these views, the annual vote of the army falls essentially to the two Chambers,—they cannot abdicate this essential right." M. Colard also urged:—"The government, using the right with which the law is about to invest it, might raise the army to 240,000 men. In vain would the Chamber deliberate, if these existed, without it and in spite of it, an unlimited army, not less independent than the civil list. When such an army shall have been placed beyond the reach of the national power,—political rights are out of the question,—institutions are a sport,—liberty a dream." The plan of attacking the establishment on the side of expence, appeared to him either ineffective, or tending to anarchy. "What do you gain then, by displacing the difficulty of the annual vote, and transporting it to the moving ground of the budget, except to reproduce it a thousand times more terrible and more dangerous?" On this question, however, ministers had the universal support of the Ultra members. A con-

tinental state, they insisted, might as well disarm altogether, as oppose what may be called a moveable force, to the permanent force of its neighbours. The King, with an *intermitting* army, could not effectually make either war or peace. The insular situation of England might enable her to neglect means of defence adopted by the continental nations; but this example, departed from "by itself in the formation of the militia, was not applicable to France. The government of the King will never refuse to give, on revision of the budget, every necessary information respecting the strength of the army; thus the Chambers will always be able to influence effectually, in a manner more constitutional and less dangerous, the tranquillity of France and of Europe.

The debates continued in the Chamber of Deputies from the 14th January to the 5th February, on which last day, the question being put, the law was carried by 147 against 92.

On the 9th February, the law was carried into the Chamber of Peers; and, on the 24th, the Duke of Tarentum brought up the report of the committee. It approved of the law in general, particularly of the principle of compulsory levy. Voluntary enrolment was said to have been so little successful, that it was necessary to dismiss one-fifth of the guard recruited in this manner; and of nine hundred military sentences passed in the course of two years, eight hundred and fifty were upon voluntary recruits. Two amendments only were proposed, one exempting from territorial service married men, and those who had been dismissed by what were called absolute *congés*. On this point, the Duke could not refrain from some statements that personally concerned himself. "Charged," said he, "at a time which I scarcely dare think of, with an operation perhaps without ex-

ample in the military history of nations,—an operation which, from being necessary, was not the less grievous to me, I gave to my ancient companions in arms the solemn assurance, that the terms of their dissolution should be faithfully fulfilled, and that they might trust, without reserve, to promises made by the Throne. Could I abandon them after having been the witness of their heroic resignation?" The next amendment proposed, that promotion by seniority should cease with the rank of captain. Carried further, it appeared to the committee destructive of all ambition, and exposing higher commands to fall into the hands of officers destitute of the necessary talents.

The Marquis Dessoille opposed both these amendments. The former appeared to him to be only creating a reserve in order to destroy it. What was this pretended faith? The soldier, who had received his *congé*, was liberated indeed from all active service; but the service proposed for the veterans was the duty of all the duty imposed on the national guard, which is itself only the nation organized in a military manner. It was a service on their natal soil, the limits of which they were never to pass,—a service in their homes, and for their homes. Would these brave men wish a privilege, which should exempt them alone from being called upon in the moment of danger? Promotion by seniority too, should, he thought, be extended to the rank of lieutenant-colonel,—the first step, in his opinion, when an officer would have a full opportunity of distinguishing himself, of drawing the attention of his superiors, and of creating a public opinion in his favour.

In this debate, attention was chiefly attracted by the speech of Chateaubriand, who attacked, with the utmost severity, the conscription reproduced under the name of *appl.* He de-



scribed it as a measure natural at once to despotism and democracy: to the former, because it carries off men by force, violates political and individual liberty, and is obliged to employ the most arbitrary measures in its execution; to the other, because it reckons man only as an individual, and establishes a metaphysical equality, which does not exist in property, in education and manners. The despot is a leveller like the people; thus, the conscription, decreed under the republic, passed "as a natural inheritance to the empire under Buonaparte. This orator, however, took a very different view from the other Ultra-royalists, of the character and services of the old army. "I have always thought," said he, "that the French soldiery is the first in the world; irresistible in success; patient, whatever may be said to the contrary, in misfortune; full of intelligence, of generosity, of honour; a single mark of esteem is enough to carry it to the end of the world. What should we be to-day, gentlemen, without the courage of our army? It has thrown the veil of its glory over the hideous picture of the Revolution; it has wrapped the wounds of the country in the folds of its triumphant ensigns; it shrouded not in the death of the most virtuous of kings; it refused to turn its arms against the emigrants and the English prisoners. It could not indeed prevent all our enormities; but at least, it threw its valiant sword on one side of the balance, to serve as a counterpoise to the revolutionary axe." Notwithstanding this panegyric, the orator could not shut his eyes to the dangers arising from the simultaneous existence of two armies, having separate characters and interests; he reproached ministry with their distrust of the Vendéans; "those heroic labourers, who turned up with their plough the bones of their fathers, who died for the King; pea-

sant warriors, who in the morning cut down the field, where in the evening they were themselves to be cut down." The principle on which they were rejected, ought to have concluded equally against the force now proposed. The most generous sentiments have their illusions and their chimeras; even the love of country may lead men astray. As for the article relative to promotion, he would not mention one of its provisions. The very principle appeared to him a direct attack on the royal authority. What sort of army would it be, which should owe its promotion to a law; an army reasoning on its rights, approving or criticising the law, deliberating in its barracks? Had they forgotten St Cloud, and the grenadiers expelling the representatives of the people? Democratically as the army was composed, it did not the less turn to the door the Council of Five Hundred. "The Gauls, gentlemen, adored their swords, and we have not lost this superstition of our forefathers." M. Chateaubriand concluded with lamenting the general tone of sentiment which prevailed around him. "Every thing becomes worse; the fatal spirit, which produced our misfortunes, is rekindled on every side; vain questions are recalled; the errors and language of anarchy are called up afresh; the words, with which they plundered and slaughtered the nobles, and led Louis XIV. to the scaffold, are heard anew. We are turning our steps backwards, we are descending again into the abyss."

The Marquis de Lalli Tollendal defended the law in all its provisions. Amid the artizans of trouble, and the prophets of evil, they were advancing from year to year towards the completion of the great work undertaken by the wisdom and benevolence of the sovereign. He, a royalist, who might well boast of being as proved and tried as any, must own himself

to have felt some apprehension at the idea of a peace establishment of 240,000 men, and was only reassured, by considering the national elements of which the King wished to compose it.

Twenty orators were heard on the project; and sixteen more were ready to speak, when the Chamber determined to close the discussion. So eagerly was it carried on, both with respect to the general law, and to each particular provision, that the issue was considered as extremely doubtful. On putting the vote, however, the majority was found to be decisive. Of 170 Peers present, 96 voted for the law, and 74 against it, leaving a majority in its favour of 22.

The next subject of consideration to the Chambers, was the budget, which excited in France itself a much deeper and more serious interest than any other. This interest was not unmingled with fear, considering the burdens of all kinds which the nation had to support, and the immense sums which were to be paid to the foreign troops occupying her territory. The result was on the whole more favourable than these circumstances gave ground to expect. The following statement of the expenditure, and of the ways and means, was submitted to the Chamber, by the Minister of Finance:

#### *Ordinary Expenses.*

	France.
Interest of the old and new Public Debt, . . . . .	140,782,000
Sinking Fund, . . . . .	40,000,000
Annuities, . . . . .	12,000,000
Pensions of every kind, . . . . .	65,908,000
Civil List, . . . . .	34,000,000
Clergy, (besides pensions), . . . . .	22,000,000
Chamber of Peers, . . . . .	2,000,000
Chamber of Deputies, . . . . .	680,000
General services, ( <i>ministères</i> ), . . . . .	222,913,000
Departmental expenses, . . . . .	31,976,000
Financial operations, . . . . .	17,916,600
Negotiations, . . . . .	18,000,000
Registry, . . . . .	3,000,000
	<hr/> 680,975,600

#### *Extraordinary Expenses.*

	France.
Third of the five instalments of the war contribution, . . . . .	140,000,000
Pay and support of the allied troops, . . . . .	154,800,000
Repayment and interest of obligations, . . . . .	11,468,422
Funds of Reserve, &c. . . . .	6,000,000
	<hr/> 312,268,422
General total of charge, . . . . .	998,244,022
About £41,938,500 Sterling.	

#### *Ways and Means.*

	France.
Land Tax, . . . . .	259,054,937
Personal contributions, moveables, doors and windows, . . . . .	98,423,663
Woods, . . . . .	162,200,000
Customs, . . . . .	80,000,000
Indirect contributions, . . . . .	120,000,000
The post, . . . . .	12,000,000
Lottery, salt works, . . . . .	14,000,000
Returned in the Civil List, . . . . .	3,000,000
Accidental receipts of Police, . . . . .	5,900,000
Retained on Salaries and Pensions, . . . . .	13,200,000
	<hr/> 767,778,600
About £31,999,100 Sterling.	

There thus arose a deficit of 9,864,400*l.* to provide for which, the minister sought an annual revenue of sixteen millions, (750,000*l.*), of which, however, he hoped, that only two-thirds would be required for the service of 1818.

These statements of the minister were referred to a committee, which seems to have proceeded with a very considerable degree of zeal and diligence. They spent four months in investigating all the details of the finances, in examining all the documents, and in consulting the persons most skilled on the subject. The report was presented on the 21st and 22d March, by MM. Roy and Beugnot, the former of whom treated of the wants of the state, and the latter of the means of supplying them. They approved, on the whole, of the proposition, recommending, however, some not inconsiderable reductions;

as in the war department, 4,000,000 francs; navy, 1,500,000; negotiations, 1,000,000; justice, 300,000; financial operations, 7,267,000; army of occupation, 4,800,000; departmental expenses, 2,955,000. The total amount of the proposed reductions was 21,612,547 francs, or 905,000*l.* sterling.

M. Deugnot concluded with expressing his sanguine hopes, that the nation would speedily be relieved of a large proportion of these burdens, in consequence of the evacuation of the French territory by the allied troops. "The King," said he, "has permitted us to hope, that these burdens may entirely cease, and that our country may resume that rank among the nations, which is due to the valour of the French, and their fortitude in adversity. Let us hope also, that the allied sovereigns, for the peace of the world, will listen to the wish of France, which bursts forth at once from the palace and the cottage, in which all ages, all ranks, all opinions, are confounded, and which proves by its energetic unanimity, that if a great nation may be plunged into misfortune, it can never lose the sentiment of its dignity, and of its strength."

The debates on this subject were nearly as long as in the others, but to us not equally interesting. The opposition eagerly called for the evacuation of France by the allied troops, not without dark hints, as if ministers were not animated with the same zeal. "Who," exclaimed M. Bignon, "could ever, without the bitterest affliction, see his natal soil trampled beneath the foot of the foreigner? In seizing our places, they have not reached our souls; beneath the material forms of servitude, the heart of the citizen preserves all its pride. He would not be a Frenchman, whose heart was not wrung at the sight of a foreign army lording it in our cities, and in our villages;

whose every vow would not call for its departure; who being able to hasten this departure, would consent to delay it a day, an hour, an instant. Could there exist an individual so mad as to believe, that the presence of foreign troops could be useful to the safety of the government, to the security of the throne? How contemptible would be that denationalized man, the apostate from his country, capable of conceiving an idea so odiously false! It is France alone that can afford solid support to a French monarch. It is by uniting himself to his people, by existing only with his people, and for his people, that a King of France finds safety and strength, happiness and glory." In criticising the military expenditure, he took occasion to deplore the loss of the old army, and drew the following striking picture of the state of France: "All the generation," said he, "which is now in the vigour of age, has slept under the tent; the artizan in his work-shop, the merchant in his counting-house, the labourer in his cottage, talk over their battles, and look round again for the chiefs who shewed them the path to glory. What is their surprise, when they see all military honours bestowed on men who have done nothing either for their country without their King, or for their King without their country," (*Murmurs*) M. Bonald, the high royalist, conceived that France must bear the penalties of that situation from which she had not been able to save herself. "From the excess of the evil," said he, "arises the remedy: France cannot perish. If this eldest daughter of civilization could be blotted from the list of nations, all Europe would not fill the void left by its absence; all its states, sooner or later, would sink into the abyss which they had opened."

In the course of the discussion, M. Gailleb. in estimating the power of France, to bear the proposed contribu-

tions, conceived the produce of its agriculture, almost its only source of wealth, at 150,000,000*l.* sterling. Of this he allowed 80,000,000*l.* for the maintenance of the poor and laborious class, who might amount to 24,000,000, affording to each man, only 3*l.* 6*s.* 4*d.* of annual income. From the remaining 70,000,000*l.* he deducted 37,500,000*l.* of taxes; and thus allowed to the 5,000,000 of persons whom he supposed to be in easy circumstances, only 6*l.* 10*s.* per annum. Hence, he inferred, that the nation was daily becoming poorer, and must soon be ruined, without some fresh resource. On the other hand, M. Delessert observed, that the annual expenditure occasioned by the public debt, amounted in France to only 5,750,000*l.* or about 4*s.* 2*d.* to every individual. In England, it was 48,000,000*l.*, making 2*l.* 16*s.* 8*d.* to each individual. The French paid in taxes 11*l.* 5*s.* a-head, the British 25*l.*

After long debates, and several amendments of minor importance, the budget was carried by the great majority of 176 against 90. In the Chamber of Peers it was carried by 108 to 2.

A subject of secondary importance, but which excited some interest, was the concordat concluded between the King and the Pope, for regulating the constitution of the Gallican church. The appointment of archbishops and bishops, throughout the whole kingdom, was vested in the King, subject to the ordination of the Pope; and no bull or brief, emanating from the court of Rome, could be promulgated in the kingdom without his authority. Those which concerned the general church, or state of France, must be verified by the Chambers. Seven bishoprics were to be added to the fifty already erected; and two of those now existing were to be erected into archbishoprics.

This measure, on being submitted to the Chambers, gave rise to warm

disputations. By some it was represented as the only means of restoring the ancient sway of religion and order, while others considered it as undermining the liberties of the Gallican church, and laying it again open to ultra-montane influence. So vehement were the disputations, that the session elapsed without the public discussion having ever been opened.

The last subject of importance submitted to the Chambers, was of a grateful nature. The Duke de Richelieu announced an approaching Congress of Sovereigns, and the sanguine hopes entertained by the King, that before next meeting the French territory would be evacuated by the allied powers. This, however, could be expected only in case of the full liquidation by France of the claims existing against her by the treaties of 1814 and 1815. The first of these consisted of the debts contracted by the French government, with individuals of the countries no longer forming part of her territory. This claim appeared evidently just, and had been acceded to by the French government without hesitation; but its amount had proved much greater than had been at first suspected; and it was only by pleading total inability of payment, that the French government could get it reduced to a sum which could be provided for by 16,000,000 francs (625,000*l.* sterling). Of these, three millions were due to Britain, one to Spain, and the rest to the other European states. The other claim consisted in the balance still due of the 700 millions of war contribution imposed by the allied powers at their last entrance into France. To provide for this, it was necessary that the French ministers should have credit to the extent of an annual revenue of 24 millions of francs, or one million sterling. The whole sum, thus necessary, amounted to 40,000,000 francs (1,625,000*l.* sterling). Notwithstand-

ing the considerable amount of this sum, its object was so dear to the French people, that not a single orator spoke against it; and the proposal was carried by 162 votes, out of 179 that were present.

By the Convention of 20th November 1815, the military occupation of France by the Allied Sovereigns might extend to five years; but if they should judge it expedient, it might terminate at the end of three. On the same day, a private agreement was entered into by the Sovereigns themselves, according to which, this measure was only to be decided at a general Congress of themselves or their ministers. The withdrawing of a fifth of the army of occupation, had already announced the feeling of security which was beginning to arise in the Allied Sovereigns; and when a general congress at Aix-la-Chapelle was announced for the close of the present year, little doubt was entertained in Europe of this subject being at least to be brought under consideration. Had there been any, it must have been removed by the last proceedings of the Chamber of Deputies, which clearly indicated the expectations held out on this subject to the French monarch.

On the 25th September, the ministers of the different powers were already assembled at Aix-la-Chapelle. The King of Prussia arrived on the 26th, the Emperors of Russia and Austria on the 28th. The Sovereigns of France and England appeared only by their ministers,—the former by the Duke de Richelieu, the latter by Lord Castlereagh and the Duke of Wellington, whose personal fame gave him a consideration equal to that of the sovereigns. It had been previously arranged, that all the formalities by which diplomatic intercourse on such occasions could be obstructed, and which consumed more time than the most serious discussions, should be en-

tirely omitted; and that the sovereigns and ministers should meet and confer, in the same manner as any private persons doing business together.

The grand question, which related to the evacuation of France, was very quickly decided. There is little doubt, indeed, that it had been already privately agreed upon between the courts, and only waited a final ratification. Serious remonstrances are indeed said to have been made from some quarters, as to the dangers which such a step might involve; but the decided opinion of the Emperor of Russia, who held so prominent a place in the confederacy, over-ruled every objection. A partial evacuation, proposed by some, was justly rejected, as keeping alive all the irritation, while it lessened the security; not even a fortress was to be retained. The decision was finally formed on the 2d October,—announced at Paris on the 5th,—and the Convention for the evacuation of France signed at Paris on the 9th. By this act, the arrears of the war contribution were fixed at 265 millions of francs (11,040,000*l.* sterling), of which 100 millions were to be discharged by annuities, payable out of the French funds, and the remainder by monthly instalments, to be paid through the houses of Hope and Baring. The next object of consideration was understood to be, to provide some security against France disappointing the expectations formed of it, and resuming a warlike and revolutionary attitude. This fear appeared somewhat more urgent than before, in consequence of the agitation which had manifested itself on occasion of the new elections. The formal renewal of the quadruple alliance, of 20th November 1815, was mentioned; but this measure, besides being in a great degree nugatory, was objected to as hostile and offensive to France, particularly to the King, who was himself considered,

by the potentates concerned, as one of their allies. At length, it was determined to emit a declaration, signed by the ministers of all the powers; and which, with the other documents, will be found in the Appendix. It proclaims the principles upon which the allied powers are determined to act, the intimate union which subsists between them, their determination to adhere to the principles of justice and the law of nations; and to maintain, by every possible means, the tranquility of Europe.

The sovereigns of Russia and Prussia, after having dispatched the main business of the Congress, employed the days from the 20th to the 24th October in reviews of their troops,

which were manœuvred by the Duke of Wellington. They then, in compliment to the King of France, paid a hasty visit to Paris. Although the Emperor of Russia attempted to travel *incognito*, he was soon recognized, and received every where with the loudest acclamations. After an afternoon's stay in Paris, and an interview of one hour with the King, he returned to Aix-la-Chapelle.

The new elections, and the opening of the Chambers, took place as usual, at the close of the year; but in order to exhibit a connected view of the session, we shall, as before, delay entering upon its proceedings till the next volume.

## CHAPTER XI.

## THE REST OF EUROPE.

*Spain—Regulations concerning Exiles.—Finances.—Russian Fleet—Army.—Germany—Proceedings of the Diet.—New Constitution of Bavaria—of Baden.—Differences between the two States.—Wurtemberg.—Prussia.—Austria.—Saxony and Hesse.—The Netherlands—Meeting of the States.—Poland—New Constitution and Assembly of the Diet.—Russian Finances.—Sweden.—Death of the King.—Norway.—Turkey.—Defeat of the Wahabís.—Disturbances at Constantinople.*

SPAIN presented, during the present year, an aspect of outward tranquillity. The enemies of the existing order, discouraged by the abortive result of all attempts to subvert it, appeared to have desisted from all further enterprises. The elements of the coming tempest fomented in gloomy silence; but to a superficial observer, Spain seemed quietly submitting to the yoke of Ferdinand. The dark and bigotted system adopted by this infatuated prince, was carried every day to a greater height. The Inquisition was restored to all its plenitude of power; every thing connected with education and with public instruction, was placed under its sole superintendence; all its old privileges and jurisdiction, including even the right of asylum, were restored to the church. In the course of the year, however, some small mitigation took place in the severity of the laws against exiled Spaniards. By an amnesty, published on the 15th February, the sentence of banishment was continued only against those, who, under new commissions, or a continua-

tion of the old, should have served the French government in any of the higher civil departments, and in the army down to the rank of captain; also against those, who should in any shape have aided it by writing. It is stated, that the goods of those offenders might justly be forfeited, yet the clemency of the sovereign orders them to be given to the nearest relations, on condition of their paying half of the income into the public treasury, and alimmenting the emigrant proprietor. All other exiles were allowed to return, within the period of six months, and to be reinstated in their property, though not in their offices or decorations.

The circumstance, which pressed most immediately on the Spanish government, was the embarrassed state of its finances. The largest incumbrance consisted of what was called the *Royal Vales*, a floating debt, of nearly fifteen millions sterling, which, as it bore no interest, and as there was little prospect of its liquidation, had been grievously depreciated. A decree, published 3d April, admitted the

importance of consolidating this debt, and paying the interest, but stated the impossibility of doing so without imposing intolerable burdens on the people. In some mitigation of the evil, however, it was announced that the *vales* should be divided into consolidated and non-consolidated; and that on the presentation of any amount, one-third should be placed to the former class, and the interest on it regularly paid; while the remaining two-thirds were to be called common *vales*, and the interest to be paid, or not, as the situation of the state and treasury might allow.

The stagnation of commerce was an evil still more deeply felt by the nation. The state of the American colonies deprived it of that immense transit, which had at least raised Cadiz to a commercial city of the first order; and the government, ignorant of any remedies which were not found in its old system of restriction and prohibition, continued daily to aggravate the evil by the remedies attempted. At length, there was felt an absolute necessity of admitting some alleviation of this absurd system. By a decree of the 30th March, which however did not come into execution till the 15th July, St Ander, Corruana, Cadiz, and Alicant, were, under certain restrictions, declared free ports, in which goods could be deposited without the payment of duty. Although this concession was very inadequate to the existing evil, it nevertheless afforded some relief.

The only activity displayed by the Spanish government during this year was in fitting out the expedition at Cadiz; a measure to which the pride of the monarchy imperiously prompted, and which was incessantly called for by the merchants of Cadiz, as the only hope of restoring their ancient prosperity. So deficient, however, was the Spanish navy, that in order to

carry its designs into effect, the government had last year been fain to purchase a squadron from Russia. This fleet set sail from Cronstadt in autumn, and after a long delay at Plymouth, for the purpose of repairs, arrived at Cadiz on the 21st February. Part of it set sail on the 21st May, with 2500 men on board, to be conveyed to Lima. The remainder was destined to defend the coasts against the increasing strength of the American corsairs. The Emperor Alexander made afterwards a present of three additional frigates, which arrived in the end of October.

A new model was this year given to the Spanish army, the numerical strength of which, reduced by various circumstances, no longer bore any proportion to the number of corps into which it was divided. It was now formed into forty-nine regiments of infantry, two of which were guards, twenty-two of cavalry, and a corps of 5000 artillery. The whole was expected to compose an effective force of 65 or 70,000 men; besides which, there were to be forty-three regiments of provincial militia, commanded by the officers thus thrown out of the regular army.

In Germany, public attention was very strongly turned to the deliberations of the diet, a body whose place in the empire had long been nominal, but to which the great powers now sought to restore some portion of its former weight. The main object of this plan was a defensive arrangement, which might consolidate the strength of this great country against any power attempting to reimpose on it the yoke under which it had recently groaned. Austria, as the power of the greatest importance, took the lead, and, on the 9th January, presented, through its minister, the plan of a federal army. The members of the diet, however, demanded an interval



to communicate with their respective courts on so important a subject. In these references, in the discussion of different articles, and of the data on which they were to proceed, the deliberations were protracted till the 12th October, when the basis of the new organization were definitively agreed upon between the great powers, and presented to the diet by the president. In this project, the population of the empire was estimated, according to the most recent inquiries, at 30,094,000 men, of which Austria afforded upwards of nine millions, and Prussia somewhat less than eight. The federal army was to be one in the hundred of the population, affording thus a numerical strength of 300,000 men. A reserve of half that amount was to be maintained, and to be called into service whenever the active army should have marched; but the reserve of each state was to remain within its own territory till the enemy should actually have passed the frontier. A sixth part of the troops was to consist of cavalry, and the artillery was to be in the proportion of two pieces for every thousand men. The army was to be divided into seven corps, and in time of war was to be placed under the command of a generalissimo chosen by the diet, whose place, in time of peace, was to be supplied by a lieutenant-general. Immediate steps were taken for putting the confederation in possession of the fortresses, which were to form the grand barrier-line against France. The principal of these on the Rhine were Mentz, Luxembourg, Landau, and Germersheim; while a general depot and place of arms was to be established at Ulm. To fulfil these objects, a large amount of the French war contribution was placed in the treasury of the confederation.

Hopes were entertained that the diet might effect something for the

freedom of the interior trade of Germany, and for relieving it from those heavy duties and prohibitions which obstructed the passage of goods from one to another of the numerous petty states. This principle had even been recognized at the congress of Vienna; but when it came to be put into practice, numerous obstacles arose. The princes retorted on each other the charge of mutual prohibitory laws, and none were willing to set the first example of a change. The diet, after some ineffectual efforts, finally contented themselves with transmitting the addresses presented to the parties concerned, to be regarded by them or not, as their inclination might direct.

Some motions were made in the diet respecting the liberty of the press, and the establishment of a general copy-right law through Germany; but they never arrived at any specific project upon either of these points. The Germans were not even without some faint hopes, that the representative system, for which they so ardently longed, might be generally established under the auspices of the diet. The princes even made solemn professions to that assembly upon this subject, which, through it, were transmitted to the public; but when specified plans came to be agitated, each sovereign expressed his determination to make a particular communication on the subject. He thus reserved to himself the power of framing a constitution which corresponded best with his own views, or of evading the measure altogether, if he should so incline.

Meantime, a considerable step was taken, during this year, towards the establishment of a representative government. Those states, which had obtained a remarkable augmentation in consequence of the French Revolution and conquests, were generally not unwilling to attach their extended po-

pulation by the grant of privileges, for which; in common with the Germans, they so ardently longed. So early as 1808, liberal views had been announced by the Bavarian government; but these were so foreign to those acted upon by Napoleon, and imposed by him upon all his subject states, that while Bavaria continued his vassal, no approach could be made towards their fulfilment. When, however, the great Revolution restored this country to the rank of an independent state, the King began to shew a disposition to ameliorate the condition of his subjects. In April 1818, he caused the *corvées*, or statutory labour on the roads, to be commuted for a local tax. These and similar measures fully prepared the public mind for the promulgation of the new constitution, which took place on the 26th of May, being the birth-day of the sovereign. The King, by thus spontaneously giving a constitution to his subjects, secured the advantage, which the other states of Europe have lost and are losing. He did it with a good grace, and provided it was not altogether illusory, might calculate on the gratitude of his people. What was of greater importance, he retained in his hands the power of dictating what the constitution should be; he could surround the throne with every guard which appeared to him indispensable. Of these advantages, he seems to have availed himself somewhat too amply; so that his constitution bears very unequivocal marks of its regal origin. Five-eighths of the deputies are elected by the landed proprietors; one-fourth only by the towns and cities, the remaining eighth by the clergy. The King is obliged to assemble the States only once in three years, and the session ought not to last beyond two months. The budget is voted for six years, and if, by any external and extraordinary circumstances, the King is prevented

from assembling the States, the taxes then levying are continued, not till the first meeting of the States, but for another entire six years; a most preposterous arrangement, which puts it in the power of any king, by a little management, to render the existing taxes permanent.

Upon the whole, however, viewing the state of the public mind in Europe and in Germany, we are not much afraid, that a popular assembly once existing, and supported by public opinion, will not, insensibly work its way to a measure of power sufficient to render its operations effective.

A considerable agitation arose this year in the south of Germany, in consequence of disputes between Bavaria and Baden. According to a secret article of the treaty of Paris, the former power, in consideration of territories restored to Austria, was to receive several of the provinces belonging to Baden. Three years elapsed, however, without any steps being taken in consequence of this agreement. At length, it became generally understood and believed, that the time was approaching, when a public notification would be made on the subject. The Grand Duke of Baden judged it prudent to elicit an explanation before the allied powers should have finally committed themselves. He expressed his astonishment, after the sacrifices made by him in the last great struggle of Germany, to see some of his finest provinces seized by his own allies, and by states which had declared in the face of the world, that they had taken up arms solely to overthrow illegitimate power, and introduce into Europe a political system, resting on the basis of morality. He declared his resolution, if such articles were attempted to be executed, of repelling force by force, and of appealing to the general opinion of the world. The King of Bavaria re-

turned an evasive answer, in which, however, the existence of the stipulations in question was clearly implied. The publication of this correspondence excited a strong sensation throughout Germany. Austria, for whose behoof the stipulations in question had been made, openly supported the cause of Bavaria. Public opinion, however, declared itself loudly on the other side, which was understood also to be secretly favoured by Prussia, and even by Russia. Baden immediately began placing its army on a war establishment, and putting its frontier in a posture of defence. A war, however, in such circumstances, and on such grounds, would have been too gross a scandal to be sanctioned by the greater powers. In answer to a requisition from Wirtemberg, Bavaria replied, that she had no intention of employing force to make good her claims against Baden. Thus the matter rested. It was generally understood, though not publicly announced during the present year, that an adjustment of differences took place at the Congress of Aix-la-Chapelle.

The people of Baden reaped the fruits of this conflict, in which their prince was involved. Hoping to fortify himself by the affections of his subjects, he presented them with a constitution, which seems to have been cast in a more liberal mould than that of Bavaria. The Lower House consisted entirely of deputies from the towns and bailiwicks. The diet was to be assembled every two years, and the taxes voted only for that period. Should any thing prevent their meeting in time to vote the budget, the Grand Duke could continue to levy the old taxes for six months only.

Wirtemberg continued during this year, as in the end of 1817, distracted by opposite factions, without coming to any important crisis. On one side were the higher nobles, through whose

influence the constitution of 1818 had been rejected; on the other were both King and people, who joined in wishing, that the influence of the feudal bodies should be reduced. The King employed himself in lightening the burden of military service, and in several other reforms; but did not, in the course of 1818, attempt to call a new assembly of the States.

Prussia continued, during the present year, repeating her promises of a constitution, but without taking any steps towards their fulfilment. Hence, the irritation already subsisting between the sovereign and people was continually exasperated. The provinces on the Rhine distinguished themselves above all by the eagerness of their demand for the expected privileges. Numerous petitions were presented, which were in general received without comment, but one offered by the city and government of Coblenz, with upwards of 8000 signatures, drew forth a very sharp reply. The King, referring to his former promise, observes at the same time, that no period had been fixed for its accomplishment, and that he is the sole judge of the time in which such a change can be most advantageously introduced. To remind him of a promise which he freely gave, is intimating a culpable doubt of his fidelity, and encroaching upon his right to fix the time of fulfilment. Such ill-timed representations could have no tendency to accelerate the object at which they aimed. The duty of his subjects was to trust to his free promises, and to wait quietly for the moment which he should judge most expedient for their accomplishment. The King shewed also his eager desire to suppress these representations, by writing a letter of thanks to the commune of Katzenport, which had refused to sign one of them.

Meantime, the commission appoint-

ed to form a constitution continued to sit, though no visible fruit arose from their labours. Report describes them as entangled in the local difficulties with which the project was encumbered; the adjustment of the claims of the different ranks of the nation, and the variety of differently constituted states of which Prussia was composed. Lastly, it was said to be desirable, previous to this great change, to bring its finances into a regular shape. These were in the embarrassed state common to all the great powers, after so costly a struggle. London formed the common centre, to which all the powers looked for pecuniary accommodation. Through the house of Rothschild, a loan of three millions sterling was effected, security for which was given upon the royal domains, and which was to be replaced in thirty-six years.

Austria, which neither held out to her people any promises of a new constitution, nor was harrassed by any demands for it, felt no embarrassment, unless from the burdened state of her finances. In her extremities, she had gone deep into these iniquitous and injurious measures, to which sovereigns on such occasions are tempted, and which had been borne by the people with surprising patience. The interest paid on the debt had been reduced from 5 to 2½ per cent; and a government paper issued to the amount of 55 millions, being inconvertible into specie, had fallen to 30 per cent of its original value. Government, however, had done something to remedy these evils. It had made provision for the gradual taking up of the depreciated paper currency; and a sinking fund of half a million had been formed, the uninterrupted operation of which, during fifty years, would, it was expected, clear off the whole of the national debt. During the present year, the commission appointed for the fabrication of paper mo-

ney was entirely suppressed; a step which had every tendency to raise the public confidence. The government, in order to relieve its immediate difficulties, succeeded in obtaining from the house of Hope and Baring a loan of three millions at 7 per cent, a rate which, under all circumstances, was considered very favourable.

The Emperor of Austria, however little favourable to representative constitutions, yet sought to conciliate his new and unwilling subjects, by calling together the States of Galicia and Lodomeria. The assembly was formed entirely upon the old system, which in Poland is more decidedly aristocratical than in any other country. This body ventured a pretty strong representation on the enormous amount of the taxes, but in other respects were lavish in their professions of loyalty.

The States of Saxony and of Electoral Hesse were also assembled during the present year; but their composition being entirely feudal, the nobles possessed an undisputed preponderance. Their influence tended rather to obstruct than to promote measures for the improvement of the body of the people, to which the sovereigns would gladly have consented. The Elector of Hesse having even suggested the admission of a few deputies from the peasantry, the States rejected the proposal, declaring that the nobility alone ought to have any share in the national representation. Already, in 1816, the little state of Saxe Weimar had received from its sovereign a very liberal constitution; and notwithstanding its small extent, the freedom of discussion allowed, and the number of eminent men produced in it, rendered Weimar a sort of literary metropolis of the north of Germany. A session of its States was held this year, which was only dis-

tinguished by somewhat violent contests respecting the indemnities to be granted to the nobility for the abolition of those immunities, in point of taxation, which they had hitherto enjoyed.

The session of the States of the kingdom of the Netherlands, assembled in the preceding year, was continued through the earlier part of the present. The King, having been unable to procure in time their consent to the budget of 1818, issued a proclamation continuing the taxes of 1816, till their place was supplied by a new law, a stretch of power which seems to us somewhat strange, but to which no objections were made. On the 6th February 1818, the States gave their consent to the new law, by which the expences were stated at 7,400,000*l.* sterling; the receipts at 6,750,000*l.*, leaving a deficit of 650,000*l.* to be made up either by loan, or by sale of the national domains. The King then procured the consent of the States to a very severe law, destined to repress the violent attacks made in writing against the allied powers, and particularly France, which had called forth vehement remonstrances. A fine of 30*l.* to 50*l.* was imposed upon all concerned in the publication of articles personally offensive to any foreign power or sovereign, calling in doubt the legitimacy of their dynasty, and of their government, tending to trouble the tranquillity of their states, to excite to disobedience and revolt. In the budget for 1819, a saving of 130,000*l.* was effected by military reductions, and the revenue was brought nearly to the level of the expenditure. In the discussion, complaints were made, that the expence of collecting the revenue, which, in England, is only 5 per cent, amounted with them in some instances, to 40 and 50 per cent. The budget was, however, carried. Very great difficulties were felt in amalgamating the two portions of

which the kingdom of the Netherlands was composed, differing entirely as they did; one agricultural and manufacturing, the other commercial; one Catholic, the other Protestant; one attached to France, the other hostile to it. It was estimated that the number of Catholics was 4,100,000; of Protestants, only 1,900,000; yet the provision for the former was 180,000*l.*, for the latter 130,000*l.* The very difference of language was a ground of controversy; and it was necessary to admit the use of both in the debates of the States-General. The government made considerable exertions to conciliate its new subjects, by founding agricultural societies, and other useful establishments, and by sending colonies to clear uncultivated lands. These measures, however, were not sufficient to allay the irritation which prevailed in men's minds.

*Poland* presented this year a somewhat striking spectacle,—the forms of a free government granted by the most despotic of the European powers. The Emperor Alexander had always some liberal ideas floating in his mind, which, imperfect as they have proved, did some credit to one nursed in the heart of such a lawless despotism. In his conduct towards Poland, he has shewn a sense of the wrongs inflicted by his ancestors, and some wish to repair them. He even caused the ashes of her hero Kosciusko, to be transported into Poland, and interred in the citadel of Cracow. He now erected Poland into a kingdom, and bestowed on it the form of a representative constitution. This kingdom of Poland, however, was very different from that which, under Sigismund and Sobieski, gave law to the east of Europe. Russia threw into it none of the extensive territory severed by the successive partitions. The portions carried off by Austria and Prussia, remained equally detached. It consisted, therefore, almost solely of the duchy of War-

saw, and did not comprise a fourth part of the original Poland. However, it presented still a name and shew of the former kingdom. The Viceroy Zayonzeck was a native Pole, had been the companion in arms of Kosciusko, and had even fought under Buonaparte. The national representation is, we believe, independent of the crown, though on too aristocratic a footing. The deputies of the nobles amount to 77, those of the commonalty to 51. The position too, close by their side, of a Russian army of 40,000 men, could not be very favourable to the freedom of deliberation. The Emperor arrived at Warsaw on the 13th March, and on the 27th opened the diet in person. In his opening speech, he indirectly alluded to the hostile attitude in which Poland had placed herself against Russia. He declares, that all this is now sunk in sincere and complete oblivion. He tells them, however, that their destiny is indissolubly united with that of Russia; and that their utmost care must be directed to extend this salutary union. He then pointed at the blessings arising from those liberal institutions "which have not ceased to be the object of my solicitude, and of which I hope, with the blessing of God, to extend the salutary influence over all the countries entrusted by Providence to my care. Prove," said he, "to your contemporaries, that those liberal institutions, the ever sacred principles of which are by some confounded with those subversive doctrines, which, in our days, have menaced the social system with a frightful catastrophe, are not a dangerous phantom: but that, brought into genuine action, and directed with purity of intention towards objects useful to humanity, they are perfectly consistent with order, and produce, by common agreement, the true prosperity of nations."

When the Emperor had concluded, Count Mostowski, minister of the in-

terior, submitted to the assembly a view of the state of the kingdom. The population, which, in 1810, amounted to 3,300,000, had, by the calamities of war, been reduced to about 2,600,000. Within the two last years, it had greatly revived, in consequence of the security of person and property, the privileges and exemptions granted to the industrious, and the numerous foreign colonists who had been induced to fix their abode in the kingdom. The minister then stated the arrangements made in regard to the church, by which special immunities had been granted to the Catholic clergy, without encroaching on the rights or revenues of the other sects. Public instruction had also been provided for by the opening of the library, and of various museums, while great attention had been paid to bring the elements of popular instruction to the level of all classes. At Warsaw, and at Lublin, schools on the Lancasterian system had been established, which would be rapidly extended in the following years. The budget, which forms usually the leading object of deliberation in a representative assembly, was not even brought on the carpet, though it was announced, that, according to every probability, it would be laid before the diet the next session.

Russia published this year a statement of her finances, which were in the same disordered state as those of the other great powers. Her regular debt amounted to about 100,000,000 of roubles, borrowed in Holland, and of a paper called Bank assignats, amounting to the immense sum of 214,000,000 of roubles. The grand object was to reduce this last amount, which pressed most heavily on the people, and to convert it by loans into a regular debt. A loan, already opened on the 30th July 1817, had enabled the government to take up 30,000,000 of assignats. The success of this mea-

sure induced the ministry to open a new loan, to which every person who brought 85 roubles should have inscribed in the great book 100 roubles at 6 per cent. So satisfactory were these terms considered, that before the end of the year, government were enabled to take up 63,000,000 of assignats, which were immediately burned.

In Sweden, this year was distinguished by the death of Charles XIII. the nominal king, and the succession of Bernadotte to the entire sovereignty, under the title of Charles XIV. Considerable apprehensions were entertained, that this event might give rise to some commotion, and that an attempt might be made to restore the legitimate dynasty. The event, however, took place without any commotion. As soon as the monarch had rendered his last breath, Bernadotte caused himself to be acknowledged as King, and took before the Council of State an oath to observe the constitution. He continued till late at night receiving the oaths of the Council, of the Generals, of the officers of the Court, and of the principal authorities, civil and military. Next day, he issued a proclamation to the people; and on the day after, went to the Diet, when he renewed his oath, and received that of the States. The Emperor of Russia, who, alone of any foreign power, might have been suspected of some partiality to the old dynasty, was no sooner apprised of the new King's succession, than he wrote a letter, expressing in the warmest terms his regard and good wishes.

On the 5th August, the King set out for Christiana, to be crowned sovereign of Norway. This country had reaped some advantages by its unjust transference from the Danish to the Swedish dominion. The King had given them a free constitution, and had restored the Storthing, or ancient representative assembly. This measure, however, had not given universal satis-

faction. The peasantry complained, that the citizens and mercantile classes possessed the sole sway in this assembly, and ordered all things for their own particular interest. The bad harvest, and the stagnation of agriculture, inflamed their discontents. Assembling to the number of about 1200, they marched tumultuously into Christiana, to demand that the King should dissolve the Storthing, and govern in an absolute manner, as the Kings of Denmark had done. A small armed force was sufficient to disperse them, and to make prisoners of the ringleaders, who were detained for several months. The harmony, meantime, between the King and the Storthing was far from complete. His great object in every measure, was to render entire the union between the two countries; theirs, to preserve the separation. They negatived even, by a majority of 67 to 5, the proposition of sending a deputation to welcome him on his entrance into the country.

Proceeding to the farthest extremities of Europe, and of the civilized world, we come to the Turkish empire. Its history, during this year, was chiefly distinguished by the progress of the war against the Wahabis, a daring and fanatical race, who had seized the holy cities of Mecca and Medina, laid waste the eastern frontier of Syria, and even threatened Damascus. Ibrahim, however, son of the Pacha of Egypt, pushed the war with such vigour, that Ibn Saoud, their chief, was compelled to throw himself, with the main body of his troops, into Deraieh, his capital, situated in the heart of Arabia. It made a long and obstinate resistance, till at length, on the 7th October; a general assault took place, when Deraieh was taken by storm. Twenty thousand Wahabis are said to have perished; the chief himself, with his family and his treasures, fell into the hands of the victors. He was

conducted to Cairo, where the victory was celebrated with boundless rejoicings. The captive chief was then dispatched to Constantinople, where, after being led in triumph through a number of the streets, he was put to death.

Revolts took place also this year in the provinces of Trebisonde and Merdin, on the eastern frontier; but their suppression was soon announced by the heads of the ringleaders, suspended in great numbers from the gates of the Seraglio.

While these prosperous events were taking place abroad, Constantinople itself was the theatre of serious disturbances. These took their origin from the Sultan making the attempt, so often abortive and fatal to its authors, of placing the military and political systems on a footing with those of other European powers. The Janizaries were particularly dissatisfied with the attempts to subject them to regular discipline. Whenever the people of

Constantinople are dissatisfied, they shew it by setting the city on fire. This proof was given during the present summer, so violently and repeatedly, that Constantinople was in danger of being reduced to ashes. On one of these occasions, Prince Ypsilanti's mother, three of his wives, and several of his children, perished in the flames. At the greatest of these conflagrations, which took place on the 13th August, the Sultan having, according to ancient usage, hastened to the spot, was assailed with such seditious cries, that he judged it necessary to return. The conduct of the government, however, was firm and moderate. The only concession was the dismissal of the Captain Pacha, and the sending out of the city all the elephants, whom popular superstition supposed to be animals of evil omen. Several persons, suspected of having instigated these disturbances, were banished, and one put to death. Thus, tranquillity was at length restored.



## CHAPTER XII.

*Opening of the Campaign of 1818 by General Bolívar.—Defeat and Retreat of Morillo.—Battle of Sombrero.—Capture of San Fernando de Apuré.—Defeat of Bolívar.—Battle of Ortez.—Bolívar nearly taken.—Battles in April and in May.—The Royalists victorious.—Rainy Season.—Preparations of both Parties.—Naval Force of the Patriots.—State of Affairs at Buenos Ayres.—In Chili.—Patriots Defeated at Talca.—Decisive Battle of Maipo.—Royalists Defeated.—State of Brazil.—Mexico.—United States.—War in Florida.—Excursions of Arbuthnot and Ambristie.—Reflections on that Transaction.*

DURING the year 1818, the war in South America does not appear to have made any perceptible progress to its termination. The steadiness and discipline of the royalist troops gave them, no doubt, in the field, many advantages over the brave but disorderly levies to which they were opposed. But these advantages were counterbalanced by other circumstances,—by the ardent zeal of the patriotic troops, and their devotion to their chiefs,—by their rapid movements also,—and by the ease and celerity with which they always continued to recruit their wasted force, and to reappear in the field, even after a defeat, in greater strength than before. Hence the lingering and indecisive character of this destructive war, which victory and defeat seems alike to protract. At the conclusion of the year 1817, the successes of the independent chiefs had enabled them to occupy the open country; and the royalist troops were in consequence chiefly confined to the coast towns. From these, however, they were unable to expel them; while,

on the other hand, the royalist troops were equally unable to drive from the open country, in a great degree wild and unsettled, and not easily accessible, the bold and desultory bands by which it was maintained. Of the loose and irregular warfare which marked the commencement of operations, we are but imperfectly informed; nor would it indeed be interesting, even if we possessed the materials for such a task, to enter into a detail of all the numerous skirmishes, and unconnected adventures, which took place in the course of this desultory contest. We prefer, if possible, to give a general sketch of such events as appear to have produced decisive results; although we must fairly confess, that after all our research and inquiry, we are not so well provided as we could wish with the necessary information.

The campaign, which appears to have been uncommonly active, opened in December, when General Zárraga, as already mentioned, was defeated by the royalists, near Calabozo. The number of slain in this battle amount-

led, on both sides, to 500 men. On the same day, 400 patriot horse met and defeated an equal number of royalist cavalry, near the river Apure, of whom 300 are said to have been killed. These partial encounters were but the prelude to more serious combats. About the end of December, Bolivar resolved to concentrate his troops, for the purpose of bringing on a general action. On the 3d January, he accordingly began his march from Angostura, where his head-quarters were established, with 2500 infantry, and 2000 horse. His plan, from which he expected the entire destruction of the Spanish army, was to effect a junction with Paez, who was posted on the Apure with 2000 horse and 800 foot, and to attack the royalists on the plain, if they dared to await his approach, or, if they fled, to confine them for the remainder of the campaign within the maritime towns, which were blockaded by the independent fleet under Admiral Brion. Bolivar experienced no opposition to his movement. He effected his junction with Cedeno on the 17th January, and with Paez on the 3d February, at S. Juan de Payara. He crossed the Apure on 6th February; and, after a march of 300 leagues in 42 days, he reached Calabozo, a town 120 miles south of the city of Caraccas, as formerly mentioned, where Morillo, having retreated before this concentrated force, had established his head-quarters. On the 12th, the town and forts were invested by the Venezuelan army; and Morillo, in order to deliver himself from a siege, advanced a body of cavalry, in order to turn the left flank of the patriots. This movement was checked by the rapid advance of Bolivar's horse, by which the right wing of Morillo was completely overthrown, and the whole force of the royalists at length put to the rout. Morillo narrowly escaped, almost alone, being pur-

sued by the lancers, who killed two of his hussars by his side. Being now compelled to shut himself up in Calabozo, Bolivar immediately took measures for blockading him, on which he quitted the place, pursued by the patriots. This retreat was disastrous to the Spaniards. They were repeatedly attacked by the republican cavalry; and many also died through fatigue. At Sombrero the royalists were overtaken by Bolivar's force, when a desperate conflict took place on the 16th and 17th February. About 1000 men fell in this action, in which both parties claimed the victory. It is certain, however, that the royalists retreated the following day; from which we may infer, that they were worsted in the action. After this affair, it would appear that Bolivar had advanced; and on the 10th March a division of his force occupied the valley of Aragua, and pushed its advanced posts as far as Valencia, about 12 leagues from Porto Cabello.

These successes of Bolivar occasioned a general alarm among all the rich merchants and landed proprietors of the maritime towns; and they expected nothing else than the entire and rapid subjugation of the country by the republican arms. But the victorious army of Bolivar, exhausted by its successes, was in no condition to attempt the siege of the towns to which the royalists retreated; and the general, therefore, having detached part of his force to secure his rear, gave orders for commencing the siege San Fernando de Apure, a strongly fortified island in the Orinoco. This position, besides being essential to the safety of Angostura, commands the navigation of the Orinoco, and facilitates the communications with New Grenada, which, it was evident, might be of the greatest importance to the success of the independent cause. It was defended by 500 Spanish troops, who

were so vigorously attacked, that they were compelled to evacuate the place on the 6th March, pursued by the patriots.

Morillo having received reinforcements as he approached Valencia, while Bolívar was weakened by his advance, was now anxious to bring matters to the issue of a battle. He accordingly made an unexpected march from Valencia on the 18th March, and surprised Bolívar's corps, which had advanced to Cabrera, within five or six leagues of Caraccas, and which consisted of 1200 horse, and from 400 to 500 infantry. The patriots were here defeated, with the loss of 200 killed, and many wounded, 20 loads of baggage, and a great quantity of warlike stores. A more serious encounter took place on the 16th and 17th March, in which the patriot troops were totally defeated. The action commenced on the side of Bolívar, who made an attack with his whole force on Morillo's position. In this attack he was finally repulsed, with the loss of 800 killed, and 900 wounded. Nine hundred prisoners were also taken, besides 1600 muskets, and 3000 horses and mules. In this action General Morillo was wounded in the thigh with a lance, and was in consequence succeeded in the command by La Torre. In the dispatch of Morillo, giving an account of this battle, he states his own loss at five killed and three wounded.

The patriot generals appear, as usual, to have very soon recovered from the effects of their defeat. The junction of Generals Paez and Cedeno with the corps of Bolívar, which took place about this period, gave a more favourable aspect to their affairs. General Paez was strengthened by a reinforcement of English volunteers; and the whole army was reviewed by Bolívar on the 20th March, at Calabozo, whence Paez and Cedeno marched to attack the Spanish general, who was

encamped on the heights at Ortiz. This position was assailed with great intrepidity by the patriot army, and carried, after an obstinate conflict, which lasted from eleven o'clock in the morning till night; and in which the assailants lost from 500 to 600 men. The royalists retreated on Villa de Cura, and afterwards on Calabozo, which they occupied towards the end of March.

The two armies appear to have been exhausted by these continued and sanguinary contests; and we have accordingly no account of any other battle until the middle of April. In the meantime, an adventure happened to General Bolívar, through the treachery of one of his officers, which had nearly deprived the independent cause of the benefit of his great and active talents. He had lain down to rest, with a few attendants, within half a league of San Josef de Tisnados, when the Spanish Colonel Lopez, being apprized of the place of his retreat, penetrated, with a dozen of horsemen, for the purpose of making him prisoner while asleep. Awakened by the noise of the soldiers, he lost no time in making his escape, with those who were with him. In their retreat they were fired upon by the Spanish troops, and were all either killed or wounded, with the exception of the chief, who succeeded with difficulty in reaching a place of safety.

Bolívar had scarcely joined his corps, when he was attacked on the 17th April by General Pla, about a league from San Josef de Tisnados, where he was stationed with 700 cavalry, and 350 infantry. He was, according to the account of the royalists, totally routed, and with difficulty made his escape. Having succeeded in collecting his whole force, he appeared at day-light at the head of his troops, to dispute the field with his victorious adversary. The two armies being with-

in gun-shot, a bloody action immediately took place, in which the patriots gave way, and were pursued in every direction, with great loss, 400 being killed in the battle, including several officers of rank, and 150 made prisoners. They lost, besides, all their stores of ammunition, 400 lances, and two stands of colours. The royalists stated, that their own loss in this action did not exceed 40 men. Several British officers were present in this battle, and it is mentioned, on their authority, in Hippeley's Narrative of his Expedition to the Orinoco, that the royalists were inferior to the patriots in numbers, but superior to them in discipline and skill; that owing to the General-in-chief Bolivar, who had so confused his line, the infantry were beaten, and nearly destroyed, before he could collect himself; and that it was owing to one or two desperate charges of the cavalry, under General Paez, that the army was rescued from utter destruction.

It does not appear, that this victory of the royalists contributed in any material degree, to the discouragement of the patriots. Their forces were again assembled about the end of April, and by order of the general-in-chief, the division of General Paez directed its march on Villa del Pao, in order to dislodge a large body of the enemy, under the command of the Spanish Brigadier Real. On the approach of the patriots, Real abandoned Pao, and withdrew towards Valencia; on which the division of General Paez advancing, succeeded in gaining possession of the town of San Carlos, after defeating the enemy, who attempted to oppose him. In order to check the progress of the force under Paez, La Torre collected all the garrisons of the different places, and even the militia of the city of Caracas. With this concentrated force, he advanced into the plains of Cogede, where the patriots

were drawn up in order of battle. The infantry of the royalists was arranged in columns, flanked by two squadrons of cavalry. The patriots charged the cavalry with great intrepidity, and notwithstanding the firmness with which the attack was sustained, they were at last broken, and at the same time the infantry was thrown into disorder, and put to flight. In this general rout, the royalists lost 1700 men in killed and in prisoners, besides great quantities of arms, ammunition, and warlike stores. The loss of the patriots, according to the statements in their official bulletins, was not considerable; but was sensibly felt, as it prevented their intended advance on Valencia. From this circumstance, we may infer that their loss was severe, and that though they no doubt gained the victory, it produced, like many other victories, more glory than any solid or permanent advantage. It does not seem to have effected any change in the positions of the hostile armies, the independent force, after the battle, occupying San Fernando de Apure, Calabozo, and San Carlos; while the royalists were stationed at Sombrero, Valencia, and Caracas. On the 11th May, another severe action took place, about 19 leagues from the town of San Carlos, in which the royalists, with a severe loss, gained the victory. The Spanish General La Torre, 20 officers, and 400 men, fell in the conflict, while General Paez, out of 2000 men which he brought into the field, lost about 1000. After this action, the royalist General Morillo advanced to Calabozo. On the 24th May, another battle took place, in which the royalists were victorious. The last act of hostility which, during the campaign, was an attack made by the patriot General Bermuda on the city of Cumana, in which he was defeated with the loss of 200 men.

After this period, a cessation of hos-

ilities necessarily took place between the hostile armies, owing to the increasing heat of the climate, and the periodical rains. The campaign terminated unfavourably for the patriots, though it produced no serious or lasting injury to their affairs. They appear to have acted throughout on the offensive, their object being to expel the royalists from the possession of the coast towns, where they still maintained themselves in considerable force. In this they failed, being defeated in the last actions of the campaign, and forced to retreat to their former positions before their enemies, who appear, however, to have attempted nothing offensive; but to have remained satisfied with the successful defence of their own positions.

The interval of rest afforded by the advance of the season, was improved by both parties in collecting reinforcements of troops, and all the necessary munitions of war. Each boasted greatly of the advantages which had been obtained in the late campaign, and of the number of enemies who had been taken or destroyed. But the truth is, that in the late sanguinary actions, the royalists and patriots were equally ruined in infantry, and were both under the necessity of a short breathing interval, to recruit their exhausted strength. For this purpose, the season of inaction was duly improved by both; but more especially by the independent chiefs. They displayed the greatest activity in collecting military stores, and in drawing together recruits from the various districts in the plains; from England, also, a reinforcement of auxiliary troops and officers were landed, and General Gregor McGregor ascended the Orinoco, with another body of English volunteers, and with supplies of muskets, ammunition, besides a large quantity of military stores and clothing, both for horse and foot. Bolivar having employed the whole

season in equipping and disciplining the new levies, held on the 1st October a council of state at Angostura, in which, after giving a brilliant sketch of the resources and prospects of the republic, he informed them that he was just about to set out for the army, and he named the general of division Urdaneta, the Director-general Don Roscio, and the intendant Penalvez, as state councillors, to take the general direction of affairs in his absence. It was also decided, that a general assembly of deputies from the Venezuelan provinces should be convoked on the 1st January 1819, for the purpose of settling matters, and fixing the government on some durable basis. These resolutions being all agreed to, the general took his departure in order to commence the campaign. Morillo, with about 9 or 10,000 men, of which two-thirds consisted of Creole militia, occupied Calabozo, Varinas, and Santa Fe. The independent force, amounting to from 12 to 14,000, occupied the whole champaign country, and was distributed in several distinct corps on the Orinoco, from Guiana to San Fernando d'Apure. An account of the operations which followed, will be given in a subsequent volume.

The naval force which the independent government had established in the year 1817, under Admiral Brion, was in the year 1818 still farther increased and improved; and whatever might be said as to the issue of the operations on shore, there could be no question as to the maritime superiority of the patriotic fleets. Not only was the sea covered by their privateers, which preyed upon the Spanish trade from the Gulf of Mexico to the coasts of Old Spain, and the islands in the East Indies, and made many rich captures, but the whole province of Caraccas, from Porto Cabello to Cumana, was held under blockade by the squadron of Brion, consisting of from 35 to 40

vessels, carrying 800 guns, and above 700 men. At St Bartholemi, he had an engagement with the Spanish fleet, in which he would have completely destroyed it, if his efforts had been properly seconded by Commodore Aury. But this chief, from what cause is not sufficiently explained, detached himself from the Venezuelan force, and having made himself master of the island of Providence, he converted it into a resort for privateers, and a naval depot for an armament, which was destined, when the proper opportunity arrived, to aid an insurrection in the kingdom of New Granada. Brion, however, pursued his success, and landed in the Orinoco a convoy, consisting of 10,000 muskets, a great quantity of clothing, military equipments and stores, and also artillery, of which the insurgents were greatly in want. On the 24th August, after a brilliant naval action with the Spanish fleet, he surprised the town of Guiría, which the royalists had dismantled the year before, but which was of great importance to the patriots, as it gave them a sea-port, through which they could at once, without difficulty, receive the reinforcements of troops which they expected from England. The capture of this place terminated the campaign.

In Buenos Ayres, the triumph of the independent cause had been for several years signal and complete; and though the government was at times in an unsettled state, from the contests of rival chiefs for the supreme power, yet there was no want of activity in providing for the public security, or in assisting those provinces which were still endeavouring to throw off the yoke of the mother country. It was owing to the supplies of troops received from Buenos Ayres, that Chili was enabled in the year 1817 to renew the struggle for independence, which had been previously terminated in that coun-

try by the successes of the royalists. In 1817 they had gained important and decisive advantages; and the defeat of the royalists at Chacabuco was so decisive in its consequences, that the whole country was laid open to their victorious arms. The general accordingly entered Santiago in triumph; and the patriot army pursuing its advantage, arrived before Talca-huano, where the broken remains of the royalist force had taken refuge. The independent generals did not deem it expedient to undertake the siege of this town. General San Martín, therefore, leaving a sufficient number of troops to blockade it, proceeded to march on Valparaiso.

The independent generals were no way discouraged by the successful resistance of Talca-huano. Having received reinforcements from Santiago and Buenos Ayres, they extended their views to nothing less than the conquest of Peru, and the reduction of Lima, while the Viceroy of that kingdom was, on the other hand, fitting out a new armament for the invasion of Chili. This expedition, which consisted of about 4000 troops, under the command of his son-in-law, Osorio, the same who was defeated at Chacabuco, landed without any obstacle, in the beginning of February, in the Bay of Concepcion; and being reinforced by the garrison of Talca-huano, the blockade of which place was precipitately raised, and other additional recruits procured in the country, the royalist force was increased to between 5000 and 6000 men, which was advancing by forced marches on the capital of Chili.

To resist this formidable invasion, the republican chiefs collected all their forces; and they at the same time published a manifesto, setting forth the grievances of the country, and the various oppressions which it had suffered from the colonial monopoly of the

mother country, and the tyranny of the Spanish government. The army of General San Martin was superior in number, but far inferior to the Spanish troops in the discipline and experience of war. The policy of General San Martin was, therefore, to avoid an immediate battle, and in the meantime to hang on the flanks of the enemy's force, harassing them in their march, and waiting for an opportunity to attack them with advantage. In the course of this desultory warfare, several skirmishes took place, with various success; and the first action of any consequence was fought on the 15th March, at Quechergas, when both parties suffered an equal loss. In the meantime, the royalist army, constantly harassed by their enemies, were daily advancing, and at length, on the 19th, reached Concha Ragada, near Talca, where it was obliged to halt in a dangerous position between the river Maule, the passage of which could not be attempted, and the Chilean army, 7000 strong. In the course of the previous manœuvres, some skirmishing took place between the two armies, and General San Martin was making the necessary dispositions for attacking the royalists next day. Between eight and nine in the evening, the troops were in their position, and the infantry were changing their front, when the royalist General Osorio, observing his opportunity, ventured an attack on the enemy's centre, which was executed with singular boldness and success. A Spanish column of infantry marching suddenly out of Talca, made a furious charge on the disordered line of the patriots. The militia, against whom the enemy's efforts were chiefly directed, were panic-struck; there was no time to form; and in the meantime a second column of the royalist army advanced, and began a heavy and well-directed fire. These vigorous and judicious move-

ments threw the patriot army into complete confusion. The rout became general, and in the flight every thing was abandoned,—the camp, the baggage, ammunition, and 28 pieces of artillery. General O'Higgins, who was wounded in the action, and San Martin, exerted themselves in vain to restore order, and to rally the troops. The left wing was completely destroyed; and San Martin could with difficulty collect the remains of his scattered host, amounting to 3500 troops, with which he fell back upon Santiago; to which place also the royalist General Osorio, elated with the important advantage he had gained, now directed his march, having announced that he would make his triumphal entry into that city on the 5th or 6th April.

The intelligence of this disaster spread universal alarm at Santiago, among all the adherents of the patriot cause. They were well aware, that the triumph of the royalists would be followed by the universal proscription of their enemies as rebels and traitors; and they were in consequence filled with well-founded dismay, on hearing that they had gained an important victory, and that their army was advancing by rapid marches to the capital. In the meantime, the patriot chiefs were indefatigable in their efforts to recruit their shattered forces. All the stragglers from the late defeat were collected and sent to join the army; new equipments were provided; and by their incredible activity, they again found themselves, on the 13th day after their defeat, ready for a new conflict with their enemies, who, on their side, were advancing in the fullest anticipation of complete success. On the 5th April, the two armies again appeared in presence of each other; the royalist general occupied a position on some heights commanding the plains of Maipo, which extend about

seven leagues to the north of Santiago. His line was supported by 20 pieces of artillery. The two armies manœuvred for the purpose of gaining a favourable position. Don Osorio endeavoured to turn the right of the independent army; but San Martín changing the direction of his march, drew up his army on an eminence in front of the royal army, which he threatened to outflank on the left. General Osorio observing this movement, drew back his army towards a hill which stood alone in the plain. Here he erected a battery of four pieces of cannon, which raked the whole front of the enemy's line. It was immediately apparent that this height was the key of the position; and on this point, accordingly, the two contending armies directed their most furious attacks. The patriotic troops gallantly advanced in close columns to the attack of the height with the bayonet, when they were overwhelmed by the fire from the royalist batteries. Several brilliant charges of cavalry were then made on both sides, with various success; at length the Spanish left being thrown into disorder by a well-directed fire from a battery of eight pieces of cannon, the patriots made a desperate attack on two sides of the hill, and this important position was at length carried at the point of the bayonet. The flower of the Spanish army either perished in its defence, or were made prisoners, and the right wing was at the same time surrounded by the independent light cavalry. Of the whole Spanish army, not above 1000 escaped with General Osorio, to take refuge, as before, in the fortified town of Talca-huano. In this battle, which lasted from mid-day till night, great valour was displayed on both sides; the loss was also nearly equal, amounting to 2000 killed and wounded; but the Spaniards lost about 3000 prisoners, mostly consisting of the

levies raised in Chili, besides their baggage, and all their artillery.

This great victory gave new vigour to the republican cause, and entirely calmed the fears of the inhabitants of Santiago. From this time, the leaders of the patriots resumed their project of invading Peru, and of expelling the Spanish authorities from that kingdom. With this view, they made preparations at Valparaiso and Concepcion, for the construction of a naval force, in which they might transport their armies to the scene of action; and in their preparations for offensive war, they were no longer molested by their enemies. General Osorio, after the battle of Maipo, fled, as already mentioned, to Talca-huano; but despairing of being able to maintain this place against the attacks of the patriot troops, he quitted it after razing the fortifications, and retired altogether from Chili, within the frontiers of Peru. Several corps of royalist troops, which were advancing to join the main body, were at the same time met by San Martín's army, which was now advancing, and were either made prisoners, or were entirely dispersed.

In Peru, they had now every reason to apprehend a formidable invasion from the Chilian armies; and the Viceroy, aware of the danger, convoked a Junta, composed of the different trading corporations of Lima, in order to devise the necessary measures for the defence of the capital. In this council, he proposed to augment the naval fleet by a reinforcement of merchant vessels—to arm the militia of Peru—and to impose taxes to defray the expence of those extraordinary preparations. The views of the Viceroy seem to have been generally approved of, and every exertion was accordingly made, with the assistance of able engineers, to fortify the city on all sides. A military force of 8000 men was also raised, and as



there was a scarcity of muskets, they were partly armed with pikes. On their side, the patriot chiefs were not slack in pushing forward their preparations, both naval and military, and the fortunate capture, about this period, of almost the whole Spanish armament, which was on its voyage from Cadiz to Lima, with reinforcements to the royalist armies, contributed greatly to forward their schemes. By this seasonable success, they were supplied with troops, with ships, ammunition, and warlike stores of every description; and having received reinforcements of troops from Buenos Ayres, they were prepared about the end of the year with an expedition against the capital of Peru, consisting of from 15 to 18 ships, mounting 250 pieces of cannon, and carrying a land force of 6000 infantry, and about 1500 cavalry. The command of this force was given to General San Martin, while Lord Cochrane, well known for the high character he had acquired in the British service, and who had arrived about the end of November in the Caraccas, afterwards took the command of the navy. The ensuing campaign commenced with the operations of this formidable armament.

In Buenos Ayres, where the cause of independence had long triumphed, and which was therefore free from all apprehension of foreign attack, the contests of rival chiefs still continued to distract the state. The great power engrossed by the Director Pueyrredon gave rise to jealousies and discontents; conspiracies had been formed for the overthrow of his power, and there were individuals who had even carried their selfish ambition so far as to meditate the dismemberment of the state, by establishing the province of Cuyo into a separate government, in which they were to have the supreme power. Some had already paid the forfeit of

their lives for their share in this treasonable scheme; but they left behind them many partisans, who scattered everywhere the seeds of distrust and disaffection. In addition to all these causes of disturbance, the government laboured, under great pecuniary embarrassments; they were reduced to issue paper-money to supply their wants, which now fell into great discredit, and, at the same time, to impose heavy burdens on commerce. Amid these difficulties, however, which threatened the new republic on every side, as its chiefs continued undismayed, their courage and zeal seemed to rise in proportion as it was wanted for the struggling state; they equipped armies, and sent out armaments, wisely judging that their first care was to defend the country and the cause of independence at any expence. The victory of Maipo, and the invasion of Peru, were among the fruits of those wise and vigorous measures.

With respect to the republic established by Artigas, between the Uruguay and the Parana, the Portuguese, who had possession of Monte Video, were always desirous of possessing this territory; and while this chief was defending himself against a force that was sent against him from Buenos Ayres, they surprised the important post of Colonia del Sacramento, which they fortified. They afterwards took another post of some consequence, and the dominion of Artigas was seriously endangered. This latter adventurer, however, was in greater strength than his enemies imagined; having not only recovered from these checks, but at the end of the year having acquired possession of several sea-ports, from which he sent out numerous privateers to prey upon the Portuguese commerce.

In the extensive country of Brazil, a general spirit of disaffection to the dominion of the mother country was

widely diffused. It had already burst forth in the province of Pernambuco into a rash and premature insurrection, which was speedily quelled. But though an outward appearance of tranquillity was thus restored, men's minds were not on this account the less unsettled and discontented. We find the government accordingly evincing the most extreme jealousy of its subjects, publishing decrees against secret societies, and holding out every sort of club or confederacy as criminal, and ordaining the members to be arrested, and to suffer the utmost rigour of the law, namely, the confiscation of their goods, and in some cases the punishment of death. These cruel and tyrannical measures sufficiently betrayed the fears of this imbecile government.

In the extensive kingdom of Mexico, the failure of Mina's ill-fated expedition, and the destruction of his followers, either in the field or on the scaffold, was followed by an outward appearance of tranquillity; and the year 1818 passed over without any memorable occurrence. The royalist troops were everywhere spread over the disturbed provinces, besieging such forts as still remained in the hands of the patriots, or driving their disorderly bands from the open country into the fastnesses of the woods or mountains.

The affairs of the United States flowed on in the year 1818 in their usual even tenor of domestic prosperity, and the slight disturbances occasioned on the Georgian frontier, by the invasions of the Seminole Indians, and by the subsequent invasion of Floridas by General Jackson, can scarcely be said to throw any shade on the bright picture which they exhibited of internal improvement. The savage tribes, which still occupied the Spanish territory of the Floridas, were, it appears, in the habit of making hos-

tile irruptions into the American territory of Georgia, plundering at the same time; and frequently murdering the helpless inhabitants. A message was accordingly sent by the President to Congress, which, as mentioned in our last volume, met in December, informing that body of the hostilities committed by those savages, and submitting to their legislative wisdom to devise the most effectual means for checking their ravages, reminding them at the same time that Spain, which still retained possession of the Floridas, was bound to restrain the Indians from violating the American frontier; and if that power failed to perform this necessary obligation, the duty of protecting its subjects devolved in that case on the government of the United States, whose armies would be entitled, upon the principles of self-defence, to pursue these barbarians even into the Spanish territory of the Floridas. Before this message was sent to the Congress, the war was already begun. General Jackson having assembled about 4000 troops, partly militia, and partly regulars, at Fort Scott, which was threatened by 4000 Creek or Seminole Indians, advanced to Fort Gadsden, which he occupied the 26th March, and in seven days more he arrived at the great Indian village of Muskà Suckee, which the Indians evacuated, after sustaining a great loss both of men and cattle. General Jackson, in pursuance of his plans, and on the alleged ground that the Spanish governor of Pensacola had, contrary to the faith of treaties, aided the Indian savages in their barbarous warfare against the subjects of the United States, suddenly appeared with his troops before that place on the 25th May, and formally demanded its surrender. The place not being tenable, the governor retired to the fort of Barancas, which commands

the town, declaring his intention to hold out to the last extremity. Notwithstanding this declaration, he surrendered upon terms on the 28th, after about 30 of his men were killed and wounded. The American general, having left in Pensacola a sufficient garrison, proceeded to take possession of Fort St Augustin, and having garrisoned this and several other strong forts, he scoured the whole country situated between the Perdido, Mobile, and Pensacola, killing or making prisoners all stragglers whom he found carrying arms against the United States. The war was at length terminated by a treaty, on the 24th June, with the Indian chiefs, according to which, for an equivalent in money, they ceded, with certain reservations, their territorial rights to the American government.

It was in the course of this irruption into Florida, that General Jackson made prisoners of a Frenchman, named Francis, and also of two English subjects, Arbuthnot and Ambristie, who were seized among the Indians. The first, on the alleged ground of having in his pocket a brigadier-general's commission, was hanged upon the spot; the two others were reserved for trial before a court martial; and being arraigned on several vague charges, Arbuthnot of having incited the Indians to commit murders, of having furnished them with materials of war, and of having acted as a spy; and Ambristie of being found fighting against the Americans, though he was the subject of a neutral power, they were both found guilty, and at first condemned to death by the court. But this sentence being deemed too severe, was in the case of Ambristie rescinded, previous to its being laid before General Jackson; and he was ordered to be flogged and imprisoned. \* The first sentence being, however, appro-

ved by General Jackson, was ordered to be executed, and these two unfortunate individuals were accordingly hanged without further delay.

After perusing all the documents connected with this fatal transaction, there can, we apprehend, be but one opinion as to its character, namely, that it was an unwarranted act of power, contrary to the most sacred principles of law and justice. In every criminal process there are three essential points, the neglect of any one of which, it is evident, places the life of the accused at the discretion of the judge. These are, 1st, That he should be tried by some known rule of law, with the penalty annexed; 2d, That the breaking of this law should be brought home to him in distinct and specific acts; and 3d, That the evidence should have a direct tendency to establish these specific acts. In this case, all these rules were grossly violated.

1st, The prisoners were tried according to the law of nations; and we never heard of any crime for which this enlightened code adjudges the subjects of one nation to suffer death at the hands of another, except when they were detected in the character of a spy. But of this charge Arbuthnot was acquitted. Of what then was he found guilty? Of stirring up the Creek Indians to war against the United States, and of aiding and abetting and comforting the enemy, by supplying them with the means of war. In all the transactions of civilized nations with each other, there is not a single example of any individual being executed for such an offence; and is an obscure court-martial of American officers, therefore, holding their sittings in the back woods of their half civilized country, on the very verge of civilized life, amid savage manners and practices, warranted to introduce barbarous innovations and unheard-of severities?

The great evil of these irregular and sanguinary proceedings is, that they shake to its foundation that system which regulates the intercourse of civilized nations, and which preserves a species of order even in the midst of war and confusion.

The charge on which Mr Ambristie was condemned, is, that he headed the Indians in their war against the troops of the United States. This, the prisoner acknowledges and justifies. On the other hand, it is stated in the sentence, to be "an established principle of the law of nations, that any individual of a nation making war against the citizens of any other nation, they being at peace, forfeits his allegiance, and becomes an outlaw and pirate. This is the case of Robert C. Ambristie, clearly shewn by the evidence adduced." Now, we confess we never heard of such a principle. On the contrary, it is a principle established, as far as the universal practice of the European states can establish any thing, that when two nations are at war, the subjects of neutral states may lawfully enlist as volunteers in any of the contending armies; and this principle has been frequently acted upon, and recognized, by almost every nation in Europe.

The vague nature of the charge on which this individual was capitally arraigned, must also strike every one. It is so loose and general, that it may embrace the whole conduct of the individual accused, and every action of his life, which by implication, may be tortured into evidence of his guilt. The advantages which this gives to the malice of an accuser is obvious. Indeed, no man's life, however pure, could stand against accusations pointed against it from such a commanding position. There is no conduct which, upon such a principle, calumny may not blacken, first by a vague accusation, creating a prejudice, and then distorting every circumstance to favour this

preconceived notion. We cannot conceive a more complete subversion of every rule and principle which we have been accustomed to hold essential to substantial justice, than is exhibited in this part of the procedure.

The evidence admitted was of the most exceptionable nature. One person is brought to prove the allegations against him, from a letter said to have been written by him (Mr A.) to an Indian chief. The witness who gave this evidence, could not swear that the letter was addressed to the Indian chief. There was no copy of the letter produced, nor even an attested copy of it, but simply the evidence of a person who said he had seen it, and who stated its contents from memory, but who could not swear that it was addressed to the said Indian chief. But this violation of all principle is even outdone by what follows; for one Hambly, a personal enemy, as it appears, of Arbuthnot, is allowed to state in evidence, that a certain Indian chief informed him that he was instigated to war by Arbuthnot. It is well known, that none of the Indians are entitled to credit, and accordingly, that their evidence is not admitted in any American court of judicature. But here we have not only this evidence, bad in its best form, admitted against the life of an individual, but admitted on hearsay. A more gross outrage against all the rules of judicial proceedings cannot be conceived.

But by far the worst feature of this case is, that the members of the Court, struck with the cruelty of their first decision, requested time to reconsider it, and, on due deliberation, they revoked the sentence of death, changing it into a lighter punishment. But this aversion to shed innocent blood did not, it appears, suit the temper of General Jackson; he disapproves the reconsideration of the sentence; and, in the face of a recorded judgment of a competent court, he executes this unhappy

victim of his relentless cruelty. We cannot conceive a more heinous proceeding: Such an act cannot be regarded in any other light than as a murder under the most flimsy disguise.

In the transactions of the American legislature for 1818, nothing occurs of any great or general interest. The amount of military force was fixed at 10,000 men, and the expences of the state for the year at 24,500,000 dollars. Various regulations were passed affecting commerce. Protecting duties were imposed on linen and cotton stuffs; and another measure was devised for retaliating on Great Britain the exclusion established by her Navigation Act, of all foreign vessels from her colonial ports. It was accordingly provided by the American act, that the ports of the United States should remain closed against every vessel owned wholly or in part by British subjects, coming from any port of Britain or her dependencies, which is shut against the vessels of the United States. This law appears to be in the strictest sense a measure of retaliation. It enacts nothing positive; but leaves it entirely to the option of this country either to leave a free trade with the United States, or a restricted trade, or no trade whatever. If Great Britain allows American vessels to trade freely with her whole territories and dependencies, the same privilege will be extended to British vessels trading to America; but from whatever port American vessels are excluded by Britain, from the same port will all British vessels be interdicted from trading with America. Every restriction, therefore, which the navigation laws of this country impose upon the trade and shipping of the United States, virtually imposes a similar restriction on the trade and shipping of Britain; so that this measure of the American government is strictly a measure of retaliation. It breathes nothing hostile

and vindictive. It is not the less injurious, however, on this account, to the trade of this country, and it deserves to be considered, how far these exclusive enactments for the exclusion of our navigation can be regarded as politic, which draw down such heavy retaliations from other countries. If we monopolize our navigation, other nations monopolize theirs, and this narrow and exclusive policy thus becomes general. But it is surely not for the advantage of Britain that such a system should prevail. It is not congenial, either to her constitution, or to any part of her domestic policy. She has flourished in wealth and commerce, in consequence of the energy, enterprize, and talent of her inhabitants having a free range. Her progress in commerce excited the jealousy of other nations; and they imposed restrictions, because they were foiled in the contest. This conduct, on their part, was quite natural. Monopoly is the resource of the weaker party. It is the expedient of the indolent and unenterprising, who call in the aid of force, because they have no chance when there is freedom. But it is not the policy of such a power as Britain, who has always outdone her rivals in fair and open competition. On these general grounds, it seems evident, that Great Britain would always possess a navigation suited to her extensive commerce, and to the physical advantages of her position. No artificial exclusion will ever enlarge her navigation beyond this its natural size, and we greatly doubt, therefore, the policy of these enactments, however much they have been commended, the object of which is to exclude other nations from a fair competition with British industry and skill.

On the 16th November, the session of Congress was opened, as usual, by an address, or message, as it is styled, from the President. In this address

the President entered at large into an exposition both of the foreign and domestic relations of the United States ; and in the commercial prosperity, the abundant harvest, and the improving revenue of America, he found ample topics for congratulation. . With respect to Great Britain, he stated, that as the commercial stipulations which existed between them would expire in July following, the American minister had, according to his instructions, proposed a new treaty to the British government, which had been received in the most amicable manner. With regard to Spain, the President justified the transactions which had taken place in the Floridas, on the ground that these countries afforded a refuge to the Indians, who from thence issued forth to ravage and destroy the rising settlements on the American frontier. He stated, however, that the forts seized by the American troops would

be given up, when an adequate force appeared to take possession of them. The execution of Messrs Arbuthnot and Ambristie was adverted to in the most cautious terms ; no opinion whatever was given as to that transaction ; it was merely stated, that all the documents relating to it would be laid before the Congress for consideration. With regard to South America, the President expressed his firm determination to adhere to a strict neutrality between the contending parties. The remainder of the speech was occupied with matters relating entirely to the internal condition of the United States, the transactions with the Indians, the progress of the fortifications for the defence of the coast, and the increase of the navy. . In conclusion, the Congress is congratulated in the accession of another state, namely, the Illinois ; which was admitted in the course of the year into the American confederacy.

## CHAPTER XIII.

## EAST INDIES.

*Treaty with Holkar.—Ruin of the Pindarees.—Reduction of Holkar's interior Forts.—Pursuit of Bajee Rao, and surrender.—Settlement of his territories.—Gallant resistance of Captain Staunton.—Escape of Appa Sahib.—Financial statement.*

THE war which was undertaken in the year 1817, by the British rulers of India, for the extirpation of the Pindarees, involved them, as we have seen, in other contests with several of the native powers. But the feeble and ill-concerted league formed at that time by these powers for their common defence, was completely broken by the rapid and splendid successes of the British arms; and at the commencement of the year 1818, the conquerors of India had only to gather the fruits of their victories, and to prosecute the war which they had so auspiciously begun, to a successful conclusion.

The battle at Mehudpore terminated the war with Holkar, who signified his intention of submitting to such terms of peace as the British should dictate. These were, that he should place himself and his dominions under British protection; in other words, that he should forfeit his rank of an independent prince, becoming a dependent and ally of the British, without whose sanction he could engage

in no transactions with any foreign power, and to whom, when required, he should be ready to furnish a contingent of 3000 horse. These, with some territorial cessions, formed the chief provisions of the treaty. By the submission of Holkar, the army was left at liberty to pursue the original object of the war, namely, the destruction of the Pindarees; and such was the activity and skilful combinations now displayed in the pursuit of these military banditti, that they were circumvented on all sides, and in their various attempts to escape, they were intercepted by the different corps of the British army, and put to death by thousands. So wasted were they at last, and so discouraged by fatigue, hunger, and the sword, that most of their leaders were obliged to submit on the single condition, that their lives should be spared, and that they should receive a suitable maintenance in situations assigned to them by the British, at a distance from their former haunts. It was found a difficult task for the leaders to reconcile their licentious sol-

diery to an arrangement, which deprived them of their arms, the implements of their trade; and it was not till Mr D. Ochterlony, agreed to employ about 3600 of them as cavalry in the British service, that the quiet dispersion of these disorderly bands was at length effected.

Having so far accomplished the objects of the war in the destruction of these corps of military banditti, a different distribution of the troops now took place, in order to carry into effect the ulterior views of the Anglo-Indian government. The three different chiefs, namely, Holkar, Bajee Rao, Peshwa of Poonah, and Appa Saheb, Rajah of Nagpoor, who had taken the field against the British, had fallen under the irresistible weight of their power, and now lay at the mercy of their conquerors. Holkar, as already mentioned, was degraded in to an humble dependent of the British, and was besides stript of some portion of territory. With respect to the unfortunate Bajee Rao, it was resolved, that he should be deprived of his dominions, and that the sovereignty hitherto resident in his illustrious family should be extinguished for ever. Suttara, still the nominal capital of the Mahratta empire, with the district belonging to it, was to be erected into an independent sovereignty, and given to the family of that name, while all the other dominions of the Peshwa were to be taken under the administration of the British, and annexed to their already immense territories in India. Appa Saheb, Rajah of Nagpoor, under various restrictions and cessions of territory, was restored to his dominions. The territorial cessions of Holkar comprehended a country remarkably strong by nature, and filled with fortresses besides, and Arab colonies, from which serious opposition was to be expected; and it was

extremely desirable that these strongholds should be reduced, and that every obstacle to the pacification of the country should thus be removed. This duty was committed to Sir Thomas Hislop, who speedily accomplished the reduction of all the forts which were held by the different chiefs throughout this strong country. It was in the course of this service that he resorted to the dubious measure of executing the commander of the fort of Talner, for defending this strong-hold, contrary to the order of Holkar his sovereign. A fire had been opened against this fort from the British batteries, and it was at length resolved to force the gate of the place, and to storm it. The storming party had penetrated to the third gate, when they were met by the governor, who proffered his surrender. The third and fourth gates were then opened, and they were proceeding to the fifth, when the garrison appeared mutinous, and demanded a parley. The gate was, however, finally opened, and a small party of officers and soldiers having entered, they were attacked by the Arab garrison, when Major Gordon and Captain McGregor were immediately killed. Lieutenant-Colonel Murray was also cut down and disabled, with two other officers, besides several soldiers who were killed. In the end, however, the Arabs were driven back; the place was carried, and the garrison, amounting to 700 men, were put to the sword by the infuriated troops. It did not appear, however, from the minutes of the court-martial, that the commander was accessory to this treachery of the garrison, and he was therefore hanged, on the ground of his having rebelled against his own sovereign, for whose honour and dignity he was at the time, from a mistaken sense of honour, hazarding his life. The subsequent and regular surrender



of other and stronger fortresses in the same country, was ascribed to this act of politic severity.

In other parts of India, the British displayed equal activity and success in the prosecution of the war in which they were engaged. The defeat and subsequent flight of Bajee Rao, the Peshwa of Poonah, which took place in November, 1817, has been already mentioned. He was immediately pursued with unremitting vigour by the different corps of the British army, with a view to his capture, and the ultimate annihilation of his power. To enter into all the particulars of his flight, would enlarge our narrative beyond its due limits; nor would such a detail of places and dates be interesting to our readers. It will be sufficient to observe, that he continued flying before his enemies till the beginning of June, 1818, when he came to the camp of Sir John Malcolm at Mow, a few miles from Indore, with about 4000 or 5000 horse, and 2000 infantry, for the purpose of surrendering himself. His flight from Poonah was directed southward towards some of his strongholds in the country of Suttara. He was pursued by General Smith; and it was at first imagined, that his intention was to shut himself up in some of his fortresses, and there defend himself to the last extremity. The power of the British, however, in reducing these fortresses, had been of late so successfully displayed, that they had lost all their former reputation as places of security. The Peshwa, therefore, after bringing with him the family of the Rajah of Suttara, to prevent any of them from falling into the hands of the British, who might set them up as competitors for the Mahratta crown in opposition to himself, marched eastward as far as Punderpoor, and thence making a circuit round General Smith, he retraced his steps in a south-westerly direction, and passed between Poonah and

Seroor. From his course northward, he was turned by the rapid pursuit of his active enemies, and retired southward on the direct road to Poonah. The British officer commanding at Poonah, dreading an attack of that city from the whole of the Peshwa's army, sent orders for a battalion which was at Seroor, to repair to Poonah for the purpose of resisting the expected attack. The march of this battalion gave occasion to one of the most memorable actions which was fought during the war. The detachment consisted of a party of the native artillery with two six-pounders, about 500 of the Bombay native infantry, and 300 auxiliary horse, under the command of Captain Staunton. In the course of its march from Seroor to Poonah, it encountered the whole of the Peshwa's army, estimated at 20,000 horse, besides several thousand infantry, which opposed the further progress of the battalion to Poonah, and even threatened to intercept its retreat. A desperate conflict now commenced between this mere handful of men and the whole Mahratta army. The contest continued till after sunset, and consisted of a series of obstinate attacks and defences of the houses in the village and circumjacent buildings, where the battle was fought. The enemy was finally repulsed, and Captain Staunton, despairing of being able to make his way to Poonah, made good his retreat to Seroor, with the loss of a great part of his baggage, which he was forced to sacrifice for the sake of the wounded. The Peshwa, flying south, passed a second time within 20 miles of Poonah, and moved as far south as Gulgula, on the Kishna. He was closely pursued by the different divisions of the British force, which were stationed in the south; and General Smith started from Seroor on the 8th January to join in the pursuit. Arriving in the neighbourhood of Suttara, General Smith

laid siege to it, when it surrendered in the course of a few days. This was the ancient capital of the Mahratta empire; and after it was taken, the standard of the Sevagee was hoisted on the walls of this the ancient seat of his family; and a manifesto was at the same time published, declaring the intention of the British government to punish the treachery of the Peshwa Bajee Rao, by degrading him and his family for ever from the sovereignty of the Mahratta empire. The Peshwa, after the fall of Suttara, being hemmed in by the different divisions of our army, again directed his flight southward, which brought him into contact with other divisions of that immense force which the Anglo-Indian government had kept in the field for the last year. The greatest activity was displayed to hem him in on every side; and he was so closely pursued, that he was involved in various conflicts with the force in pursuit of him, all of which hastened to complete the ruin of his affairs. His strong fortresses were also daily falling before the irresistible power of his enemies; and his subjects, discouraged by these reverses, were gradually preparing their necks for the reception of a foreign yoke. So desperate at last was the situation of the Peshwa's affairs, that after long hesitation and wavering, he was induced to submit to the British, who proposed the following conditions as the basis of a more permanent treaty: 1st, That Bajee Rao should renounce for himself and his posterity for ever, all right of sovereignty in the Decan. 2d, That he should give up the person of Trimbukjee, his former confidant and adviser, and all persons who were concerned in the murder of the two British subjects, the Vaughans, at the beginning of the war. 3d, That he should separate himself from his army, and come into the British camp, in which case his person should be pro-

tected, and some holy city should be assigned for his future residence, with a suitable pension. His pension was afterwards settled at about 100,000*l.* per annum. To these conditions the Peshwa agreed, when he surrendered his person to the British; and the treaty with him was duly ratified by the Governor-General; although it was thought that Sir John Malcolm had extended an undue degree of liberality to the fallen prince.

After the capture of the Peshwa, his extensive dominions were taken under the administration of the British; and, owing to the utter ruin of his affairs, and the politic measures pursued by the British resident, Mr Elphinstone, the whole country was quickly brought to submit to British authority. It is well known, that in India the cultivation of the land is the great employment of the inhabitants; and that the public revenue is derived chiefly from a land-tax, which is levied directly from the different classes of proprietors and tenants,—the regular payment of this tax being indeed the tenure by which the land is held. It was the first care, therefore, of the British resident, to give security to the cultivators, by guaranteeing them against military pillage or extortion; while the higher classes were secured by the same promises, and by other compensations. The Bramins were secured in their religious rights, and in the immense property which they had acquired from the benefactions of the pious; and by these popular measures, all classes were won to the new order of things. There was only one order of men against whom the British denounced implacable vengeance. These were the Arabs, who had always fought bravely in the field, and from whom they of course experienced the most determined resistance. Numbers of this wandering race had settled as colonists in this part of India, or

had hired themselves out to the different powers as soldiers of fortune; and it was now determined to re-transport these unfortunate persons from the country where they had been long settled, and where many of them had acquired distinction and wealth, to their native wilds in Arabia.

The district of Nagpoor, the Rajah of which, Appa Sahib, had made a last and unsuccessful effort to free himself from the British yoke in 1817, was the scene of new troubles in 1818. The Prince, after his pusillanimous surrender to the British army, was restored to the nominal sovereignty of his territories; but he was left, by the rigorous terms imposed on him, without any real power, being held under the most degrading thralldom by the British, who justly suspected him of disaffection to their authority and influence,—and indeed it could hardly well be otherwise. On what principle can the conquerors and their victims ever be united by any tie of affection or confidence? The British authority in India has no root whatever in the sentiments, habits, or manners of the people. A strong military force is the true foundation on which it rests, and resistance to it, therefore, by the Indian chiefs, must always be a mere calculation of prudence. The British, indeed, always hold forth the notion of allegiance being due to them by the Indian princes, whom they have gradually degraded from their rank, &c. to a subserviency to their authority; and they reprobate their attempts to regain their former privileges and power under the name of rebellion, for which they assume the right of punishing them according to their discretion. Nothing, however, is more natural than for the Indian princes to unite against the British, whom they consider as the common enemies of Indian independence, and whose degrading thralldom they are anxious to cut off.

It was under the influence of these feelings, that Appa Sahib, the Rajah of Nagpoor, finding himself under a degrading bondage to a foreign power, and sensible that his affairs were not by any means in such a desperate situation as his fears suggested, resolved to embrace the first favourable opportunity to throw off the yoke. Secret orders were accordingly sent to all the commanders of the fortresses in the mountain districts, to defend them to the last extremity,—to call out their followers, and to offer every annoyance in their power to the British authorities, especially to cut off detachments in charge of convoys, and prevent the country from furnishing supplies to the different armies in the field. Every expedient was at the same time put in practice to impose on the British resident by a show of peace. Various circumstances occurred, however, particularly the obstinate defence of the hill forts, contrary to the express orders of Appa Sahib, to excite suspicions of his sincerity, and from that time he was diligently watched by the resident, who surrounded him with spies, and thus acquired particular information of all his most secret movements. Several couriers, who were dispatched by him on private and confidential services, the resident caused to be arrested with important papers, and having thus procured the most complete evidence of the Rajah's hostile designs, he resorted at length to the decisive measure of securing possession of his person. This was effected by means of a party of seapoys, who went unarmed and seized him. Nagoo Punt and Ramchundur Wagh, his advisers, were seized at the same time. They were all three held in close confinement for some time at the Nagpoor residency, when it was determined to send them to an old palace of the Mogul's, within the fort of Allahabad, which was in every re-

spect fitted for their safe custody. They began their journey on the 3d May, under a strong escort, commanded by Captain Browne. In the course of this march, the prince contrived by his secret agents to corrupt several of the seapoys appointed to guard him; and by this means, on the morning of the 13th, about two o'clock, a seapoy's dress was introduced into Appa Saheb's tent; in which the Rajah being accounted, joined the group, and under semblance of a relief, marched completely out of the camp. Relays of horses were in readiness to carry him to a distance before any alarm could be given. Six seapoys deserted with him, carrying with them their arms and accoutrements, and a few others followed their example in the course of the week. Every thing in the tent of Appa Saheb was left in its usual place, insomuch that the two servants, whose duty it was to handrub their master as he slept, continued to perform the same office to the cushions of the bed; and when the guard was changed at four in the morning, the native officer, who, according to Captain Browne's standing orders, looked into the tent to ascertain the presence of the Rajah, seeing them so engaged, was satisfied, and entertained no suspicion that he had escaped. Every exertion was made, but in vain, to trace the route of Appa Saheb, and to effect his re-apprehension. He fled to some of the mountainous districts, and was harboured by a rajah of considerable influence in that quarter. Towards the close of the rainy season, he was enabled to collect round him a few followers from the wreck of Bajee Rao's army, and from the fugitive Arabs driven out of Kandesh, and with this band he gave considerable disturbance, nor was the rising

in his favour entirely subdued by the termination of the year.

The expence of these various and complicated wars was very great, insomuch, that the surplus revenue of several prosperous years, which had been accumulated in the treasury to the amount, according to Mr Princep, of about eight millions sterling, was not only all expended, but an additional sum of debt was also contracted, amounting to  $4\frac{1}{2}$  millions sterling; thus increasing the Indian debt, which, in 1814, amounted to about 29 millions sterling, to 34,775,792*l.* its amount in April, 1818, with an annual interest of 26 lacks of rupees. To balance the disadvantages of this enormous debt, Mr Princep, in the general view which he gives of Indian affairs in his judicious work, calculates the increased revenue which may be expected to arise from the conquered territories, and also the great reductions which may be made in our military establishments, in consequence of the successful war, and the general peace by which it has been followed. He intimates his conviction, that the recent acquisitions have been cheaply purchased at the expence of so many millions, and he revives the illusion, so often held out, of a surplus revenue from India, for the benefit of the proprietors in Europe. It remains to be seen how far these expectations will be fulfilled. In the meantime, it may be observed, that in no former instance, as has been proved by figures, which cannot lie, has any increase of revenue in India been attended with any benefit to the proprietors in Europe; and if, in the present case, it should lead to this happy consequence, it will most assuredly be at variance with all past experience of the Company's affairs.



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**PART II.**

**LITERARY AND MISCELLANEOUS.**

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## PART II.

### LITERARY AND MISCELLANEOUS.

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#### CHAPTER I.

##### BIOGRAPHY—POLITICAL.

*The Queen.—Mr Hastings.—Lord Ellenborough.—Sir S. Romilly.—Mr Rose.—Sir Philip Francis.—Mr Dempster of Dunnichen.—Bertrand de Moleville.—Platoff.—Barclay de Tolli.—Winzingerode.*

**THE QUEEN.** This illustrious Lady naturally takes the first place among the public characters deceased during the present year.

To provide a suitable partner for the Princes of the Royal House of Great Britain, has always been found delicate and difficult. The recollection of long disputed succession and consequent civil war, has elicited a law, now perhaps superfluous, prohibiting all union with subjects. At the same time, the dread of a foreign ruler, and of being involved in the round of continental politics, inspires this proud and insular people with dislike to a close alliance with any of the great states. Here the difference of religion comes in not unaptly, to place an insuperable bar against these connexions. Such are the circumstances, in consequence of which the north of Germany has be-

come the grand depository of matrimonial alliances for the House of Brunswick. Its princes, humorously characterized by our national poet as "sma' German gentles," are in fact decidedly inferior in wealth and importance to many of the ducal houses of England. This, however, is justly considered as all in our favour; since a territory not equal to half an English estate, can neither distract the attention of a sovereign from England, nor be worth attempting to involve that country in the wars and politics of the great powers.

Among these small houses, that of Mecklenburg Strelitz ranked as one of the very smallest. Yet the house of Mecklenburg, notwithstanding its present narrow resources, is characterized by genealogists, as among the most ancient and noble in Germany.



It was one of those also which took the most active part in the first establishment of the Reformation. In the course of succession and subdivision, it split into three branches, those of G̃ustrow, Schwerin, and Strelitz; but the first having become extinct, a law-suit was commenced between the two latter, respecting the division of its possessions. At length a compromise took place, by which the largest amount of revenue fell to the Schwerin branch; while the Duke of Mecklenburg Strelitz received only the limited income of 15,000*l.* a-year.

Of all the members of the Royal Family, the King himself is placed in the most difficult situation, as to the important point of choosing a wife. Not only is he forbidden to marry a subject, but he is not permitted to go abroad to choose a foreigner for himself. What a situation for a young king, surrounded by all the beauty and fashion of England, amid which he might make his full election, did not this inexorable law interpose. Surely, if the first part of the law be necessary for the repose of the kingdom, the second, in such a special case, might for once be remitted. It was generally believed, that a young lady, of extraordinary beauty, and of one of the first families of England, had made a strong impression on the mind of the youthful monarch. Besides regard for the laws, however, the notions of regal dignity instilled into him by Queen Caroline, debarred him from ever seriously thinking of a subject. A Queen, however, being wanted, all eyes were turned to Germany. Charlotte-Caroline, sister to the reigning Duke of Mecklenburg Strelitz, was then seventeen years of age, having been born on the 16th May, 1744. The utmost care appears to have been bestowed by her mother on her education. Her governess was Madame de Grabau, who possessed a fine taste for poetry, and has distinguished herself

in historical compositions. The young lady's more serious studies were presided over by Dr Genzmer, an orthodox Lutheran divine, distinguished by his knowledge of natural history. She imbibed a taste for reading, became a proficient in the French and Italian languages, excelled in music, and shewed a fine taste in needle-work and embroidery. These accomplishments were not likely to remain long concealed from the Royal Family of Great Britain, to which she was already distantly related, and which has always maintained extensive connections with the German houses. Report, however, speaks variously as to the manner in which the Princess was first introduced to the notice of her future husband. In whatever manner the King's attention was first excited, the transmission of a picture formed of course a natural preliminary. This was a delicate operation for one who, amid all her good qualities, was not "blessed by nature with the charms of face." Doubtless it would have been an ill-timed fidelity in the artist, not to throw in a few flattering touches. Altogether, the young monarch was satisfied, and the match was finally determined on. It need scarcely be added, that a communication being made to the family, no hesitation was felt in accepting so splendid an alliance. The King, on the 8th July, 1761, made a communication to the Privy Council, in which he described his future bride as "a Princess distinguished by every eminent virtue and amiable accomplishment, whose illustrious line has constantly shewn the firmest zeal for the Protestant religion, and a particular attachment to my family."

Nothing now remained but that the royal bride should be conveyed to England. For this purpose, the Caroline yacht was fitted up, and placed under the command of Lord Anson, whose name was then considered the most illustrious on the list of admirals.

The Duchesses of Ancaster and-Hamilton, the Countess of Effingham, and other ladies of rank, went as her attendants. On the 14th August, the mission arrived at Strelitz, and the ceremony of demanding the bride was performed by Lord Harcourt. On the 17th, her Highness took leave of her native place, amid the lamentations and prayers of all ranks, particularly the poor, to whom she had been a liberal benefactress. On the 23d, the splendid retinue embarked at Cuxhaven, but the weather was so unfavourable and tempestuous, that they did not reach Harwich till the 6th of September. Her Highness spent the night at Lord Abercorn's, and next day entered London by Constitution Hill, and through the Park to St James's. She was handed out of the coach by the Duke of York, and received at the gate by all the Royal Family. The King first saw her in the garden; and we have been assured that, on this occasion, the royal countenance displayed evident marks of disappointment, and that he even involuntarily started back. The Princess, conscious of the unfavourable impression, is said to have then made an offer to return. The King, however, immediately recovered, and received his bride in a gallant and affectionate manner. At eight o'clock, the procession went to the chapel-royal, the bride's train being held by ten young ladies of quality, when the ceremony was performed by the Archbishop of Canterbury.

The new Queen was not long of displaying the qualities best calculated to endear her to the English nation. She became completely an Englishwoman. Though bred in the Lutheran persuasion, she immediately conformed to the church of England, and shewed always a warm zeal for its interests and prosperity. She had brought with her a train of German

ladies, the companions of her youth, and who expected in her elevation to find the road to fortune and splendour. German favourites, however, especially since George I. have been always odious to the English nation. Of this the Queen was soon convinced by her royal husband, who presented her with a sum of money to be distributed by way of indemnification, among these foreign favourites, who were then shipped off forthwith for their native country. In another shape the bounty of England was shewn to her family. The fitting out of the bride for so illustrious a station was an object to which the slender revenues of Mecklenburg Strelitz were very inadequate. Under this consideration, a pension was allowed to the Duke on the Irish establishment, against which the nation murmured a good deal, as they are wont to do, whenever their money is touched, but which yet seems nothing more than due from so great a power under such circumstances.

While the Queen gave such satisfaction to the nation, she did not the less faithfully perform her duty to her illustrious spouse. If, from causes merely external, any unfavourable impression at first arose, it was soon wiped off by her good sense and agreeable manners; and the connubial fidelity and harmony which reigned between the illustrious pair was such, as might have rendered them a model to the whole nation. Peculiar praise is indeed due to the party which is exposed to the strongest contrary temptations; but a strong presumption also arises, of prudence, good sense, and agreeable manners having been employed to cement this constancy and attachment. On the 12th August, 1762, her Majesty presented the King with an heir to the throne, George, now King of Great Britain. She had, on the whole, fifteen children, of whom twelve survived her. It is remarkable,

that on these occasions, the Queen, unless in one instance, never used any assistance, except that of a female attendant.

At the Queen's first arrival, some difficulty was formed in regard to the choice of a residence, the principal palaces happening to be much out of repair. The small palace of Kew was therefore chosen as a temporary abode. Her Majesty continued always attached to it, and being extremely fond of botany, promoted that splendid collection of exotic plants, which was then beginning to be formed. Afterwards Buckingham House having undergone a repair, came to be considered as peculiarly the Queen's palace. Windsor, however, was always the favourite residence of the Royal Family. The Queen had here a lodge built for herself, and having purchased Frogmore, in the neighbourhood, she converted it first into a dairy, and then into an agreeable villa.

The habits of the royal pair were extremely regular. They rose early, and after spending the morning in business or study, took a drive in the neighbourhood, calling frequently at the houses of the nobility and gentry. Dinner was early, and consumed only a very short time. In the evening, there was usually a party selected from the neighbourhood, which was enlivened by music, and sometimes by dancing. On the fine summer evenings, they were seen walking on Windsor terrace, amid a crowd of all descriptions of persons, to whom they behaved with the utmost courtesy and affability.

One of the most shining features in the Queen's conduct, consisted in that strict regard to virtue and decorum which she observed herself, and caused always to be observed at her court. No rank, no favour, could secure a lady whose character had sustained any taint, against the most complete

exclusion. On this point, she was always inexorable. Improprieties of dress or behaviour at court, have been followed by a permanent prohibition to ladies of the first rank and distinction. The happy effects of this conduct at a period when that purity of public morals which distinguishes Britain appeared to be peculiarly menaced, cannot fail to be duly appreciated.

The Queen, after having passed the first part of her life in tranquillity and prosperity, was exposed, during the latter part of it, to severe and peculiar trials. The dreadful malady with which his Majesty was afflicted in 1788, called forth all her fortitude. The firmness and fidelity with which she performed her duties to her illustrious spouse in these calamitous circumstances, fully commanded the applause of the nation. His Majesty recovered the use of reason, and was able to resume the reins of government; but after so severe an attack, his situation must ever after have been felt as anxious and precarious. Notwithstanding occasional alarms, however, he continued to enjoy the use of his faculties till 1810, when the melancholy death of the Princess Amelia combined with other circumstances in producing a complete relapse, which soon terminated in settled alienation of mind. Her Majesty was then properly entrusted with the care of the King's person, in which important office she was aided by a Council, to which monthly reports were made respecting the condition of the royal sufferer.

It could not fail to be remarked, that the Queen, during the latter years of her life, lost a great share of that popularity which she had enjoyed during her more flourishing years. There prevailed, during this period, a disposition to view, not in the most favourable light, the conduct of all the

members of this distinguished house. It was said, that in the lamentable dissensions which agitated the Royal Family, she took rather the part which was dictated by maternal tenderness, than that which accorded with the opinion of the public; and the opposite course pursued by her august spouse served to increase the odium attached to hers. It was even asserted, that on this occasion she did not adhere to those strict principles of propriety which she had so strongly professed. Supposing, however, some blame to exist, sufficient allowance seems not to have been made for the natural partiality of a parent; without inquiring whether the strict eye of female propriety might not see blemishes in the one party, calculated to at least to extenuate the faults of the other.

The Queen had received a literary education, and her habits were always studious. Her mornings were devoted to reading, and notwithstanding the immense extent of the King's library, she had made a considerable collection of her own. Every apartment in which she had resided for any time, was strewed with books. Her range of reading was pretty extensive, but theology formed her favourite study. An abstract of the Christian religion, translated from the German manuscript of Freylinghausen, avowedly came from the pen of her Majesty; and she has been said also to be the translator of the sermons of the celebrated Zollikofer. Her views on these subjects appear in Dr Beattie's account of the interview to which he was admitted with their Majesties. The Queen, during her latter years, was accused of being penurious; but she punctually settled her accounts; and after her death it was discovered, that she had been in the habit of giving numerous pensions, of which the public, and sometimes even the objects of her

bounty, entertained no suspicion. She maintained in the neighbourhood of Windsor a school for embroidery, at the expence of 800*l.* per annum, and she bestowed a peculiar share of her patronage on the schools established for the purpose of national education.

After having enjoyed, through life-time, an excellent state of health, the Queen, in the course of 1817, was affected with a variety of alarming symptoms. They were at first supposed to arise from a hepatic affection, and the Bath-waters were recommended; but the disease continued to gain strength, and was soon found to have its origin in dropsy of the chest. The Royal Family and the nation were for many months kept in suspense by successive attacks and partial recoveries; but at length her vigour entirely failed, and a mortification ensuing, terminated fatally on the 17th November, 1818. The most interesting part of the details, both of the event itself, and of the subsequent funeral, are given in the Chronicle of Miscellaneous Occurrences.

**WARREN HASTINGS.** This individual, though born in the rank of a subject, can scarcely be viewed in that light, when we consider the length of time during which he swayed the destinies of a great empire, and the pomp and power, almost more than regal, with which he was surrounded. Few have occupied so great a place in the public eye, whether in his glory or in his sufferings; none have been the object of such extravagant praises, or of such violent invective. By some he has been described as the most illustrious of statesmen, and the saviour of India; by others, as the most profligate and abandoned of men. The time seems not yet come to form a sober estimate of a man who took the lead in such eventful scenes, and excited such violent party and personal animosities.

The biographers of Hastings have not yet been able to clear up the secret of his birth. By his adversaries, it was stigmatized as peculiarly obscure and ignoble. His friends, however, have called up a list of ancestors ascending to the twelfth century; but his actual parentage has never been positively stated. He spent, however, some time at Westminster school, where he formed a connexion with Sir Elijah Impey, afterwards Chief Justice of Bengal under his administration, and with Mr Jennings, the noted antiquary. In 1750, when only seventeen, he obtained the situation of writer in the service of the East India Company, doubtless through some high interest, which, however, is nowhere stated. He was nominated to Bengal, where he applied himself with peculiar assiduity to the study of the Persian and Hindostanee languages. This acquisition was then very rare among the young Indian adventurers, there being no requisition to that effect made, nor any establishment formed by the Company; and of the thoughtless youths who went out with the view of raising a large fortune, few were disposed to engage in such laborious tasks. These qualifications, however, joined to his abilities and address, were not lost, at a time when talents of every kind were wanted to carry into execution the gigantic enterprises of Clive. That great chief, having to select a fit resident at the court of Jaffier Ally Cawn, pitched upon Mr Hastings, who, by the prudent and successful exercise of his functions, entirely justified the choice. After a residence of three years, he returned to Bengal in 1761, in consequence of having become, by seniority, a member of administration. In 1764, however, from some unexplained cause, he returned home, and, notwithstanding the favourable opportunities enjoyed by him, with a very small for-

tune. Disappointed in his hopes, he seems to have renounced public life, and expressed to Dr Samuel Johnson his wish for some moderate literary appointment. Whatever might have been the cause, however, which threw him out of the sphere of India patronage, the present was not a time when abilities like his could be suffered to lie dormant. In 1769, the Company, anxious to retrieve its affairs, named Mr Hastings to the situation of second in council at Madras. He immediately set out on this new destination. On his passage he met Mrs Luhoff, the wife of a German portrait painter, whose beauty and agreeable manners captivated his affections; and, in 1777, a matrimonial union took place, not altogether, we suspect, under the most creditable circumstances.

The good conduct of Mr Hastings in this office opened his way to still higher elevation. Amid the splendour which surrounded the Company's affairs in India, and the extension of their possessions, very little had hitherto appeared of that substantial prosperity, to which, as a body of merchants, they mainly looked. The revenue of the conquered countries did not cover the expence of conquering and defending them; the proceeds of their sales did not cover the cost of the investments. When the affairs, therefore, of this triumphant Company were laid before Parliament, they were found on the verge of bankruptcy. After various propositions, an arrangement was at length made, by which the Company were allowed to retain their charter, on condition of sharing the administration of India with the King and Parliament. The first result of this arrangement was, that the King appointed, and the Company confirmed Mr Hastings as Governor-General of India. In their resolution upon this subject, the directors bore the following testimony

to his merits : " Our president, Mr Hastings, we trust, will set the example of temperance, economy, and reform ; and upon this we are sensible much will depend. And here we take occasion to indulge the pleasure we have in acknowledging Mr. Hastings' services on the coast of Caromandel, in constructing, with equal labour and ability, the plan which has so much improved our investments there ; and as we are persuaded he will persevere in the same laudable pursuit, through every branch of our affairs in Bengal, he, in return, may depend on our steady support."

In the execution of the high functions with which he was now invested, all accounts agree that Mr Hastings acquitted himself with the utmost ability. The British affairs in Hindostan were in a critical situation. The rise of Hyder, the most formidable of our native enemies, the defeat of Sir Hector Monro, the cutting off of the detachment under Colonel Baillie, and the powerful alliances of this new chief, especially with the Mahrattas, appeared to menace the entire overthrow of our eastern empire. A very few years were sufficient to change the aspect of affairs. The British arms, under Sir Eyre Coote, were completely triumphant ; the Mahrattas were detached from the confederacy ; Hyder was forced to accept terms of peace ; and Britain finally established over the peninsula, that ascendancy which she has ever since maintained and increased. Amid all this success, however, Mr Hastings found, that the objects which were to render him solidly acceptable to his employers were very little advanced. The exhausted finances left no means of forwarding those extensive remittances, which were eagerly demanded by every dispatch. Under this extremity, he appears to have begun that system of extorting supplies from

his weak allies or neighbours, which became the subject of such rigid inquiry. The Vizier was impelled to undertake a war against the Rohillas, and to accept and pay a British subsidiary force. The expence of the army was thus reduced one-half, though by a mode, the justice or ultimate expediency of which were at least very equivocal.

The administration at home, though dazzled with the first successes of Mr Hastings, were not long of discovering, that he was plunging into the same daring and desperate career, which they had so strongly condemned in his predecessors. The Company might have augmented their lustre as sovereigns, but their affairs as a mercantile and money-making body were not at all retrieved. In 1776, measures were adopted for his recall ; but these were negatived by the Court of Proprietors. It was merely determined to send out a council of four members, who might serve as a control upon his proceedings. These were Mr Barwell, Sir Philip Francis, General Clavering, and Colonel Monson. The three last gentlemen, on their arrival, were viewed by Mr Hastings as enemies, and scarcely treated with decent civility. They immediately began a most rigid inquiry into his public measures. They were most rigorous, however, in exacting the performance of the stipulations made by the Nabob Vizier, whom Mr Hastings endeavoured now to protect. In short, the two authorities were completely at variance ; and upon every subject there were transmitted to Europe two opposite and criminatory reports ; one from the president, and the other from the majority of the council. The new members called upon Mr Hastings to lay before them the whole correspondence relative to the Rohilla war. He submitted to them only part, stating, that the rest was private

and confidential ; but they urged with some reason, that upon such a pretence, any public officer might withhold whatever could have a tendency to criminate himself. The grand subject of contest, however, was respecting the evidence of a native of high rank of the name of Nundcomar, who undertook to prove Mr Hastings guilty of several acts of bribery, and particularly of having received 350,000 rupees from Munny Begum, a native princess, in consideration of an office which he bestowed upon her. When the proposition, however, was made to call Nundcomar before the council, Mr Hastings said, " Before the question is put, I declare that I will not suffer Nundcomar to appear before the Board as my accuser. I know what belongs to the dignity and character of the first member of this administration. Nor do I acknowledge the members of this Board to be my judges. I am reduced on this occasion to make the declaration, that I regard General Clavering, Colonel Monson, and Mr Francis, as my accusers." The council, however, received the evidence of Nundcomar, and thinking it supported by sufficient documents, called upon the governor to refund the money. Mr Hastings did not deign an answer, but immediately proceeded to a step, from which his reputation could not fail deeply to suffer. Nundcomar was brought to trial on a charge of forgery, committed four years before ; a crime not capital by the Hindoo law, nor even made so in British India, till after the period when it was alleged to have been committed. Without regard to these circumstances, Nundcomar was brought before an English jury, condemned, and executed. Such a step certainly laid Mr Hastings open to the worst suspicions of his enemies ; and even supposing it to arise only from vindictive pride, was deeply culpable.

The contests thus continued in the council till the death of Colonel Monson in 1776, when the governor, being supported by Mr Barwell, was, by his own casting-vote, again enabled to carry every question. Before this period, a Mr Maclean had been sent to England with confidential dispatches to the Company. This person, among other papers, delivered at the India-house a letter from Mr Hastings, containing a resignation of his office. Though this communication appeared to be made in a less formal manner than suited its importance, yet, being examined by a committee, consisting of the chairman, deputy-chairman, and a director, it was pronounced authentic. The resignation was instantly accepted, and Mr Wheeler appointed to go out to supply the vacancy. On Mr Wheeler's arrival, Mr Hastings was delivered from the thralldom in which he had been held ; and whether from this circumstance, or that there had really been some mistake, he positively disavowed Maclean, and all intention of resigning, and expressed his determination to remain in office. This measure was so vehemently opposed and protested against by Clavering and Francis, that it appeared impossible to avoid an appeal to arms. To avoid, however, so great a scandal, it was agreed to refer the question to the Chief Justice, who decided in favour of Hastings. Soon after, his disputes with Francis came to a crisis. In a minute of council communicated to the latter, Hastings used the following expressions : " I do not trust to his promises of candour, convinced that he is incapable of it. I judge of his public conduct by my experience of his private, which I have found to be void of truth and honour." An explanation being demanded, he referred to some former promises of support in his public measures, alleged to have

been made by Francis. This altercation led to a duel, in which Mr Francis was wounded, and soon after returned to Europe."

Mr Hastings now reigned the supreme lord of India, the affairs of which he conducted with all his accustomed vigour. He carried on the war successfully against Hyder, and held the other powers tranquil or submissive. He formed able plans for the internal government and collection of the revenue in the extensive provinces which he had annexed to the empire. He sent an embassy to the Grand Lama of Thibet, and opened a speedy overland communication with Britain for the conveyance of intelligence. While, however, he thus disposed of all things in the East, the storm of proscription in England was gathering fast. In looking forward to meet it, he was led to believe, that an exhausted treasury would be unpropitious to his favour with the Court of Directors. To obviate this predicament, he had recourse to measures which, beyond any other, strengthened the hands of his enemies. Such was his treatment of the unfortunate Cheyt Sing, Rajah of Benares, on whom he first imposed an enormous fine, then, on its non-payment, imprisoned, and finally deposed him. Such was the manner in which he deprived the Begums or Princesses of Oude of the treasure granted to them by the British government. The excess of harshness with which this proceeding was carried into execution by his agent, rendered it still more odious. He was accused also of lavishing contracts and other advantages on those young men, the interest of whose families might be advantageous to him in the approaching crisis.

On the 13th February, 1785, Mr Hastings set sail for England, where he arrived in four months, eagerly expected both by friends and enemies.

No parliamentary proceeding ever excited a deeper interest, both from the importance of the events, and the splendid powers which it called forth. Burke now shone in full glory, though his wonderful powers were exerted with an excess of vehemence, which ultimately weakened their effect. On the 17th February, 1786, he moved for papers, and on the 4th April, brought forward his series of charges. On the 1st May, Mr Hastings was heard in his defence. He maintained, that the charges were ill-founded and malignant; that the most gross falsehoods were circulated respecting his administration in India; and that, by the machinations of a few powerful individuals, he had been placed in his present situation. "In respect to his public conduct, he had ever acted according to the exigencies of the times; and he had frequently been reduced to such extremities as to defy the sanction of any precedent. No man had ever been in more perilous situations; and, amidst his disasters, he was entirely left to the resources of his own mind. He had resigned the government of India amidst the regret of his fellow-subjects; he had repeatedly received the thanks of his employers, the Directors of the East India Company; he had the satisfaction of discharging the trust reposed in him with unanimous approbation; and he believed that no other power on earth had a right to call his conduct in question."

The first charge examined, was that respecting the Kohilla war; and in this Mr Hastings was supported by ministers, and acquitted by a majority of the Commons. But when the charge was opened respecting the Rajah of Benares, Mr Pitt declared that, "Upon the whole, the conduct of Mr Hastings, in the transactions now before the House, had been so cruel, unjust, and oppressive, that it was impossible



he, as a man of honour or honesty, or having any regard to faith or conscience, could any longer resist." This change was violently exclaimed against by the friends of Mr Hastings, who even said, that he had submitted his conduct to Parliament in the faith of being supported by the minister; but it does not appear how any unqualified pledge to this effect could have been fairly given, without hearing the cause, or on the mere *ex parte* statement of Mr Hastings. The prosecution now went on triumphantly, and Mr Burke was appointed to carry up the impeachment to the House of Lords. He was seconded by Mr Fox, Mr Sheridan, and others of the leading parliamentary orators. On the 15th February, 1788, Mr Burke opened the trial, and poured forth the mighty stream of his invective. Mr Hastings, he said, rested his defence on "a species of geographical morality, a set of principles suited only to a particular climate; and what was speculation and tyranny in Europe, lost both its essence and its name in India." Referring to his boast of securing to the allies of the Company prosperity and protection, "the former he secures by sending an army to plunder them of their wealth, and to desolate their soil!—His protection is fraught with a similar security:—like that of the vulture to the lamb—grappling in its vitals! thirsting for its blood, scaring off each petty kite that hovers round—and then, with an insulting perversion of terms, he calls this prosperity and protection. The deep marching annals of Tacitus—the luminous philosophy of Gibbon—all the records of man's enormity, from the period of original sin up to the present period, dwindle into comparative insignificance, both in aggregation of vile principles, and in the extent of their consequential ruin." The charges were now successively open-

ed by Mr Burke, Mr Sheridan, Mr Adstruther, and Mr St John; but the speeches extended to such a length, and so much time was consumed in the hearing of evidence, while the Lords would bestow only a certain portion of their time on the subject, that year after year rolled on, without any prospect of the charges being closed. In 1789, when it appeared certain that it would be carried on to another session, Mr Hastings represented, that his life would end before a decision could be come to, and even insinuated, that had he foreseen this, he would rather have pleaded guilty. It was continued, however, for two years longer, and it was the 2d June, 1792, before the accused could enter on his defence. In his opening speech, he took a high tone, denying or justifying all the proceedings with which he was charged. "I am arraigned," said he, "in the name of the Commons of England, for desolating the provinces of their dominion in India—I dare to reply, that they are the most flourishing of all the states of India,—and it was I who made them so. The valour of others acquired; but it was I who enlarged and gave consistency to your dominions. I maintained the wars which were of your formation—not mine—I dispelled a confederacy of the native powers—I neutralized their efforts—I divided their members."

"I gave you all, and you have rewarded me with confiscation, disgrace, and a life of impeachment."

The defence was conducted by Mr Law, afterwards Lord Ellenborough, who presented an intrepid front to the mighty phalanx that opposed him. He vigorously contested every point, and dwelt strongly on the accumulated hardships to which Mr Hastings had been subjected. The defendant, he said, had suffered calumnies and reproaches such as no man had endured

since the days of Sir Walter Raleigh ; and afterwards declared, " that the situation of his oppressed client was such, as he believed no human being in a civilized nation had ever before experienced, and which he hoped, for the honour of human nature, no person would ever again experience." After the defence was closed, evidence was adduced in reply, and seven days employed in summing it up ; after which, notwithstanding the loud complaints of Mr Hastings, Mr Burke spent nine days in making his peroration. The defendant's counsel then declared, that rather than protract the affair, they would abstain from any comments on the reply.

We come now to the close of this long trial, in the course of which a great change had taken place in public opinion. Indignation at the charges had insensibly melted into pity at the fearful duration in which the accused had been held. The prosecutors had overshot the mark ; some of their charges they were unable to prove ; others had been exaggerated ; and what guilt was left, appeared to have been sufficiently expiated by such a length of suffering. When, therefore, on the 23d April, 1793, the vote came to be put, Mr Hastings was acquitted by the majority of 21 Lords against 8.

After the conclusion of the trial, Mr Hastings' friends made an appeal to the India-House, which was bound, they urged, to defray the expences of the trial. After some deliberation, this was agreed to, and a pension of 4000*l.* a-year was settled on him for 28 years and a half. Some aid, indeed, was very necessary, as he appears by no means to have possessed that immense fortune which his enemies alleged, and which might even have been expected from his regular emoluments in India. He declared, that in 1786 his entire property did not exceed 65,000*l.*, of which he expended 54,000*l.* upon the

manor of Daylesford ; nor was there ever any thing in his mode of living to disprove these assertions.

Mr Hastings having become proprietor, of Daylesford, the ancient manor of his family, and situated in the immediate vicinity of his native place, spent the rest of his life in retirement, improving and ornamenting his grounds ; nor did he ever shew any inclination to encounter again the storms of public life. His manners in private are represented as amiable, conciliatory, and seductive. He cultivated literature with considerable assiduity, and was even in the habit of composing occasional poems. The following small effusion was made the subject of complaint by Mr Burke in the House of Lords, though, after such a deadly persecution, he had surely little reason to wonder at any asperity in which he might indulge :

" Oft have I wonder'd, that on Irish ground,  
No poisonous reptiles ever yet were found ;  
Reveal'd the secret sands, of Nature's work,  
She saved her venom to create a Burke."

Mr Hastings died on the 22d August, 1818, in the 75th year of his age.

**LORD ELLENBOROUGH.**—The law in England is a profession by which individuals of humble birth frequently rise to the highest honours of the state. The subject of the present memoir, however, already derived lustre from his parentage. His father was Edmund Law, the learned and virtuous Bishop of *Carlisle*, author of several excellent works. Edward Law, the sixth son, after receiving the rudiments of his education at the Charterhouse, was removed to St Peter's College, Cambridge, of which his father was master. Here he applied vigorously to his studies, and obtained several of the highest academical honours. No sooner, however, were his studies completed, than he repaired to London, and applied to the law. He

employed himself at first in the somewhat humble department of special pleading, and of instructing pupils; from the one of which, however, he derived a thorough knowledge of the technical parts of law, and from the other useful connexions. In a department so crowded, and where all clients throng to lawyers of established practice, it is difficult for a young man to push himself into notice. Young Law found an opening in the Northern Circuit, where his name, rendered illustrious by the character of his father, proved a strong recommendation. Connexions formed there, brought business into town, and Mr Law began to be known in the Courts. Mr Erskine, now Lord Erskine, began about the same time to shine by the splendour of his oratory; while Mr Law sought distinction by the depth of his legal attainments. He now received a silk gown, and was considered a rising man. His practice in the Court of King's Bench began to extend, though he was somewhat kept back by an unaccountable prejudice with which he was regarded by his illustrious predecessor, Lord Kenyon.

An occasion now offered, which brought the young lawyer prominently into public notice. Mr Hastings, impeached before the House of Lords, looked eagerly for the ablest counsel to conduct his defence. Mr Erskine, first applied to, having been induced by his political connexions to decline, Mr Law was ~~next~~resorted to, and was combined with the yet equally unknown names of Plomer and Dallas. It was scarcely possible for a young lawyer to be placed in a more arduous situation, having to contend with the flower of English oratory—a Burke, a Fox, and a Sheridan, who, on this great occasion, surpassed all their former exertions. Happily, however, Mr Law was endowed with a stern intrepidity, which made him shrink from

no situation in which his duty placed him. He never hesitated in answering scorn with scorn; nay, in reproaching his adversaries with the intemperance of their invective, he was accused of equalling, if not surpassing the offence charged. At one time, indeed, he was called to order by the House; and Mr Fox started up, accusing him as having branded the whole House of Commons with sending up slanders and calumnies in the shape of charges. Mr Law denied any intention of reflecting upon the House of Commons, though he was ready to charge the managers with the use of slanderous and calumnious expressions. He gained several important legal points, particularly the refusal to receive the evidence of Nundecomar before the council; also, that the whole of the evidence for the charge should be finished before the defence was begun, by which means the defence made the last and strongest impression; while the charge, through the immense length of the trial, was almost forgotten before the decision was pronounced. In short, he prevailed; and the ample fees which he doubtless received, formed a very small object compared with the lustre which his name derived from this successful contest with the greatest orators of the day.

Mr Law was now pointed out as a fit subject for official promotion, but some years elapsed before an opportunity occurred. At length, in 1801, when the offices of Attorney and Solicitor-General became at once vacant, he was raised to the former, without passing, as usual, through the inferior steps, and was created Sir Edward Law. In the following year, on the death of Lord Kenyon, he was made Lord Chief Justice of the King's Bench; which, except the Chancellorship, is the highest legal office in the kingdom. In this important place, his conduct gave general satisfaction. His

deep knowledge of law, the dignity, tinged with severity, of his deportment, and the firmness and decision with which he pronounced his judgments, secured to him an ample share of public confidence. His appearances in political life were not so popular, nor considered so suitable to the situation which he now held. On the accession to power of the Fox and Grenville administration in 1806, he was created a member of the Cabinet Council; a measure justly objected to, as inconsistent with the separation of the executive and judicial powers. It was indeed one of the first causes which shook the popularity of the new ministry, and gave rise to the charge of their acting upon different principles in power, from those which they had professed out of power. The hostile part taken by him against Lord Melville, whose trial came on soon after, was also considered by the friends of that nobleman as scarcely consistent with former habits and connexions. Nor was his popularity augmented by being appointed one of the Commissioners to inquire into the conduct of the Princess of Wales. So strongly was the public mind biased against this commission, that a rumour gained circulation, of a nature which his own character and that of his colleagues ought to have secured them against. They were said to have fabricated an unauthorized document, containing what was not given in evidence, and suppressing what was given. This charge was alluded to by Lord Ellenborough in the House of Lords in terms of the strongest indignation. He declared it "false as hell in every part," and stated, that he and his colleagues having no means of proof, were compelled to rest their exculpation on a flat, positive, and complete denial.

Notwithstanding this temporary Whig connexion, the sentiments of Lord Ellenborough were generally

found on the side of authority. In 1805, he resisted in the strongest manner every farther concession to the Catholics. In 1817, he loudly justified the circular letter of Lord Sidmouth, which was the subject of so much discussion in Parliament. Public attention was strongly excited by his conduct in the trial of Hone, where he acted perhaps too much as a party. It was generally believed, that he, who had fearlessly encountered the thunders of Burke and Sheridan, was shaken by the successful effort of this clever, petulant, little demagogue. It is certain, that his constitution, already sinking under fifteen years of incessant labour, gave way almost immediately after. In the course of the following year, he was obliged to retire from all his judicial employments, and died on the 13th December, 1818.

The merits of Lord Ellenborough have been described as consisting in "long and painful study—a vigorous and manly address—a strong discriminating judgment—an utter contempt of fear—and a bold and nervous eloquence, that scorned to stoop to embellishments." He was married early in life to Miss Toury, a descendant of Sir Thomas Moore, by whom he had three sons and three daughters. There is a fine portrait of him by Sir Thomas Lawrence.

**SIR SAMUEL ROMILLY.**—A legal character, at least as eminent, and in many respects materially differing from the above, this year terminated his career. Samuel Romilly was entirely the architect of his own fortune. He was sprung from a family exiled from the South of France by the operation of the edict of Nantz. His great grandfather, in adherence to his religion, had sacrificed not only his country, but a large property which he possessed near Montpellier. The Romillys settled in the parish of St Anne, Soho,

a quarter then famous as the receptacle of refugees from all parts of the world. Here his father carried on with success the trade of a jeweller, by which he accumulated a little fortune. Samuel, the youngest of nine children, only three of whom reached the age of maturity, was born on the 1st March, 1757. From the first, his mind was directed towards the law; in preparation for which, he wrote for some time with a friend in the Six Clerk's Office, in the Court of Chancery. He then entered the Inns of Court, after completing his studies in which, and being called to the bar in 1783, he made his election for Chancery practice. In the course of a short time he was viewed by the discerning as a rising man; but the established fame of Mr Scott, now Lord Eldon, and of Mr Mitford, afterwards Lord Chancellor of Ireland, kept down from extensive practice all younger competitors. The late Marquis of Lansdown was the first great man who took notice of young Romilly; and at his house in Wiltshire, he first saw Miss Garbett, (of Knillcourt, Herefordshire,) for whom he conceived the strongest attachment, and afterwards married her. His constitution, worn out by hard study, obliged him to undertake a tour to Switzerland and the South of France, where he visited, not probably without some emotion, the abodes of his ancestors.

Mr Romilly, returning with improved health, applied to business with fresh ardour; and on the promotion of Scott and Mitford, soon rose to the first practice at the Chancery bar. In 1798 he was united to the object of his affections. We have seen contrary statements relative to the previous duration of their attachment. Some represent it as long, and add, that he stated to his future bride the impossibility of their union till he had made two fortunes, one for his parents, and the other for her. The accounts, however, seem

more authentic, which represent the father as independent, and the meeting to have taken place only in the year preceding the marriage. The happiness arising from this union is but too fully attested by the fatal circumstances that attended its close.

Mr Romilly, having uniformly professed and adhered to Whig principles, on the accession to power of the Fox and Greyville party in 1806, was appointed Solicitor-General, and received the honour of knighthood. His conduct was always consistent with his principles; and it was remarked, that prosecutions relative to the press were never so rare as during his administration. He was appointed a manager of the trial of the late Lord Melville, which he conducted with great ability, though he failed in his object. About the same time he commenced his series of efforts to modify the English legal code, which still bore marks of the rude ages in which it had derived its origin. His first object was to annul that unjust principle of the feudal system, by which the freehold estates of those who died bankrupts were made not liable for their debts. Although he shewed clearly the extreme hardships sustained in consequence of this law, yet the prejudice against innovation, and the interests of the landed proprietors, caused it to be rejected at the third reading by a small majority.

In 1807, the coalition ministry went out of power, and Sir Samuel returned again to a private station. Being now, however, fully established as without a rival in the Court of Chancery, he was in the enjoyment of a greater income than any other individual in the profession, except the Lord Chancellor. We have understood that he drew upwards of 16,000*l.* a-year. The labour by which this sum was earned, must indeed have been immense, and must have implied the sacrifice of many of the enjoyments of wealth. Steady application, quick conception, and the

habits of early rising, enabled him to execute it, without even the sacrifice of his senatorial functions. Sometimes, indeed, the cases on his table accumulated to such a heap, that he was obliged to close his doors for a time, till the mass was diminished. Lord Eldon, it is said, whose only fault was too much of conscientious hesitation and indecision, displayed these qualities in a peculiar degree, whenever it appeared to him that Sir Samuel's real opinion was opposite to his own.

This immense pressure of private business never abated the diligence of Sir Samuel's attendance on his parliamentary duties. In the House, he appeared always as a party man; and it is remarkable, that, though the ground he took was somewhat violent, and what may be called ultra-whig, he never lost the personal esteem and regard even of his most decided antagonists. This circumstance, which, to the degree that it took place in him, may be considered as almost *unique*, probably is to be ascribed to the perfect conviction entertained of the purity of his motives, to the absence of any personal antipathies on his own part, and to a chastened suavity of manners, which prevented him from ever running into rude and intemperate invective. He spoke on most subjects; but his favourite topics, and those usually introduced by himself, consisted in plans for mitigating the severity of the criminal law, and placing it on a more rational and consistent footing. Upon one leading point, which will be found debated in the present volume, he succeeded in ultimately uniting the votes of the Commons, though in the Upper House the prejudice against innovation still prevented its adoption. Of his oratorical powers, the following observations, which appeared at the time, seem to form a favourable, yet candid estimate: "Who,

by any practice, by any industry, however laborious, shall attain that elegant, that refined, that persuasive, yet at times that nervous and forcible eloquence, in which he has never been exceeded, I doubt if 'ever equalled, by any lawyer in any age. In transacting the most ordinary business, there was a peculiar grace about his manner—a gentlemanly ease—an unassuming suavity, that won the hearts of all his hearers. His most graceful sentences flowed from his lips without pomp or ostentation, as if the words he used, however apt and forcible, dropped naturally and inartificially into their places, without the application either of will or memory. In Parliament, he always took up a subject on the broadest grounds of public policy, and embraced the most extended views of its causes, consequences, and bearings; his mind could never descend to littlenesses; and in his practice at the bar, he much oftener took his stand upon principles than upon precedents; or in referring to the latter, he seldom failed to shew how far they were established upon the former. He was by no means always equally forcible; and though extremely energetic when roused and warmed by his subject, there was at times in Parliament a feebleness of voice and language, partly to be accounted for by the easy conversational mode in which business is conducted in the Court where he practised; this gave him in some degree a carelessness of phraseology, and an irregularity in the construction of his sentences, aided by his obvious disgust at any thing approaching ostentatious pretence. I do not think that he was remarkable for a logical or lucid arrangement of his subject, nor for any artifice, common to practised speakers, of putting his strongest points in the strongest places. When answering an opponent, I have often felt that he

adverted to the arguments in a manner too desultory,—just as they presented themselves to his recollection.”

The indefatigable exertions of Sir S. Romilly received, during this year, a reward to which they appear well entitled, in obtaining, by a great majority, his election as member for Westminster. Since the death of Fox, that great democratic body, not always very select in its favourites, never made a choice more creditable to it. He was elected almost by acclamation, without trouble, expence, or solicitation on his own part. He was never destined, however, to appear in Parliament with the additional lustre derived from this character. We pass rapidly over the awful catastrophe which is still fresh in the memory of the public, and is recorded in another part of this volume. The case appears to us to be one of decided insanity. Those seem to wrong his memory, who represent the fatal deed as arising merely out of extravagant grief. According to authentic accounts, he appears to have been conscious of approaching alienation of mind, and the dread of it to have become his ruling feeling, hastening perhaps its own accomplishment. The immense labours to which his mind had so long been subjected, could not fail somewhat to shatter its powers. His constitution had never been vigorous, and notwithstanding his temperate mode of life, never equal to the fatigues it underwent. Of late, his person had become thin, and his countenance pale and hectic. Under these circumstances, his mind might have gone on in a smooth and regular current of employment; but any violent shock, such as that experienced from the loss of a partner so justly dear to him, could not fail to be perilous. The very prospect of resuming, in so agitated a state, the accumulated arrears of employment, might easily prove

top heavy a burden for his weakened mind. The fatal event took place on the 2d November, 1818, in the 62d year of his age. It followed so quickly the death of Lady Romilly, that her funeral was stopt by express, and they were buried in the same grave, at the seat of her ancestors. Six sons and one daughter survived him.

**Mr Rose.**—In the business of every administration, there is a great deal of laborious second-rate work, which cannot be conveniently executed by the highest class of statesmen. The bold and comprehensive plans which they are called upon to form, require talents and habits very different from those of minute calculation and patient inquiry. A laborious man, therefore, whose diligence and accuracy can be depended on, is an important acquisition to every administration. Such a one, who does not venture much into the high debatable ground of political contention, may survive many ministerial shocks, and may recommend himself, without discredit, to cabinets differing considerably in their political aspect. Such an assistant was found by Mr Pitt in the subject of the present memoir, who, with the exception of two short intervals, continued, during forty, or even fifty years, a sort of ministerial fixture, carrying on the routine of public offices, with many useful plans and objects of a subordinate nature.

George Rose had the merit of having raised himself by talents and diligence, from a very humble situation. He was born at Brechin, on the 11th June, 1744, and was the son of David Rose, a nonjuring Episcopal clergyman, belonging to a class proscribed on account of their attachment to the exiled house of Stuart. In consequence of the unpopularity of his principles, Mr Rose found himself no longer possessed of income as a clergyman,

and was obliged to seek a scanty subsistence by other means. In this necessitous state of the family, young George was taken by an uncle, who kept an academy near Hampstead; and, that he might do something for himself as soon as possible, was put into a surgeon's shop. This employment, however, was not agreeable to his taste; and he soon had an opportunity of changing it. The Earl Marchmont, a Tory nobleman, esteeming the father, and pitying him for sufferings in a cause of which he approved, made him tutor to his son; and, at the same time, procured for young Rose an appointment on board a ship of war. Here, the situation of purser, to which George soon attained, enabled him to display his qualities of activity, industry, and punctuality, in so extraordinary a manner, as to attract the notice of the Earl of Sandwich, then at the head of the Admiralty. After occupying several subordinate situations in the public offices, he was appointed keeper of the records, for which his qualifications were entirely suited. The confused mass of papers which filled this office, were by him arranged and classed in such a manner, that any one could be found immediately when wanted. This achievement was attended with such extreme convenience to ministry, that it attracted the particular notice of Lord North, and established Mr Rose as the man whose services were to be resorted to for all such systematic and laborious work. In 1767, he was appointed to complete the Journals of the House of Lords, in thirty-one folio volumes,—a laborious and creditable operation, for which he received a very handsome sum. Mr Rose, from this time, found regular employment in the public offices; but it was not till the Pitt and Dundas administration that he was raised to the higher seats of administration. He was then appointed joint

secretary to the treasury; and introduced into that important department his habits of order, of regularity, and careful attention to details. His vigilance superintended all the different boards connected with the revenue, and kept them continually on the alert. Trade occupied also a peculiar share of his attention; and no man was more intimately acquainted with its facts

to have reached those sound and comprehensive views which were familiar to Mr Pitt. Amid a variety of delicate employments, no charge was ever made against his integrity, except one, which appears quite groundless. In March 1792, he was accused in Parliament of having obtained for one Smith the remission of an excise penalty of 50*l.* in consideration of his supporting Lord John Townsend's election for Westminster. It appeared, however, that he had merely remitted the petition to the Board of Excise, who rejected it, and levied the fine. Smith had afterwards employed himself in detecting false votes against Lord John, for which he was rewarded in the usual and authorized manner.

On the elevation of Lord Sidmouth, Mr Rose retired along with Mr Pitt; and afterwards joined along with him the ranks of opposition. Returning to office at his return, he obtained a great accession of honours and emoluments. He became first vice-president, then president of the Board of Trade, afterwards treasurer of the navy, with a salary of 4000*l.* a-year. On the death of Mr Pitt, and the accession of the coalition administration, he went into the ranks of opposition. After the short career of this ministry was over, he returned to his former place, in which he continued till his death.

It would be endless to enumerate the various appearances made by Mr



Rose in Parliament. His main topics were revenue and trade; which, with the natural feelings of a minister, he was always disposed to place in the most advantageous light. But he deserves particular praise for the zeal with which he engaged in plans no way connected with ministerial influence, and having for their sole object to improve the condition of the indigent classes of society. He gave his full support to friendly societies and savings' banks; and introduced laws to encourage and secure the property of these establishments. In questions relating to the corn laws, he usually took part with the people against the landed interest. The plans for taking up the population were carried on under his auspices.

Mr Rose, pretty early in life, had married a lady connected with the island of Dominica; and, as her sisters lived at Southampton, this circumstance probably swayed him in the purchase of the estate of Cuffnells, finely situated in the heart of the New Forest, with a view of the sea. He spared nothing in embellishing the house and estate; and, through the local influence thus afforded him, obtained the command of the burgh of Christ-church, and partly of that of Southampton. He had a large and fine family, of whom he said before his death, that "they had been a blessing to him during a long series of years, and had never caused him one hour's pain." His habits were regular, economical, and temperate; and the greater part of the evening as well as morning, was devoted to his official duties. His speeches, which were frequent, made no pretensions to elegance, but consisted merely of plain facts, plainly stated. He attained a great age with little apparent diminution of vigour; but died, after a short illness, at Cuffnells, on the 13th January, 1818, in the 75th year of his age. He left

his family amply provided for. Among other bequests, he leaves to his eldest son George Pitt Rose, "a walking-cane, which belonged to his godfather, the late incomparable Right Honourable William Pitt, whose memory will always be dear to me as long as my own endures,—it has the crest of that great man, set in gold, on the head of it." He directed also ten shillings to be paid to each of the neighbouring poor who should attend church on the Sunday after his death.

Mr Rose was the author of a considerable number of writings, which, however, consisted chiefly of parliamentary speeches and small political tracts. Under the direction of the House of Lords, he superintended a superb engraved edition of Domesday Book. On the publication of Mr Fox's History, Mr Rose wrote observations upon it, which were prompted partly by a dissent from some of the political views contained in it, and partly by a wish to clear some charges brought against Sir Patrick Hume, ancestor to the great friend of his family, the Earl of Marchmont. The political opinions of the work, though in some respects opposed to those of Mr Fox, were considered liberal, considering the quarter from which they emanated. The most important of his political tracts was a Letter to Lord Viscount Melville, in which he opposed, as too expensive, and not absolutely necessary, his lordship's plan of a new naval arsenal at Northfleet.

PHILIP FRANCIS was the son of a most respectable clergyman, a native of Dublin, who, about the year 1750, settled in the county of Surrey, where he established an academy, which was frequented by a distinguished class of students. To the public he is advantageously known by the translation of Horace, which ranks still as the standard one; and also by a trans-

lation of the Orations of Demosthenes. He had the honour of assisting in the education of Gibbon and of Fox. Having had considerable connexion with ministry, and been even employed in some delicate negotiations, his son Philip was early employed in the government offices. In 1756, at the age of 16, he obtained a place in the office of Secretary of State, then held by Mr Fox, afterwards Lord Holland. He retained the same situation under Mr Pitt, and is even said to have acted as amanuensis to that great statesman, for whom he always expressed the profoundest veneration. Being appointed private secretary to General Bligh, he witnessed the expeditions to Cherborg and St Maloes. In 1760 he became secretary to Lord Kinnoull, then appointed ambassador to Portugal. On his return home, he received an appointment of considerable importance in the office of Mr Ellis, afterwards Lord Mendip, then secretary at war. He had here the opportunities of extensive intercourse with public men; and it was here, in the opinion of those who identify him with Junius, that he wrote the letters bearing that celebrated signature. Mr Ellis, however, being succeeded by Lord Barrington, Mr Francis, dissatisfied with the treatment which he received from that nobleman, resigned his appointment in March 1772. He then undertook an extensive tour on the continent, visiting Germany, Italy, and France; and it is remarked, that during all this period Junius was silent.

About a year after Mr Francis's return, he received a highly important and lucrative appointment. He became, along with Colonel Monson, General Clavering, and Mr Barwell, a member of the council appointed to control Mr Hastings; to which office was attached a salary of 10,000*l.* a-year. It is said, notwithstanding his differences with Lord Barrington, that

nobleman used his interest with Lord North to procure him this situation. The gratification derived from it must have been somewhat impaired, by the reflection, that his father, Dr Francis, did not enjoy his good fortune, but had died a year before.

To narrate Mr Francis's career in India, would be only to repeat what we have already said under the head of Mr Hastings, to whom he opposed the most constant and determined resistance. At length, having lost his coadjutors, and being involved in a fruitless personal quarrel with that gentleman, he left India, and arrived in England in October 1781. Mr Hastings, having just concluded triumphantly the war in India, was now restored to full favour; and both ministry and the India-House were shut against Mr Francis's complaints. Mr Burke, however, eagerly espoused them; and they waited the time when the ear of Parliament might become more open to inquiry. In 1784, Mr Francis having become representative for Yarmouth in the Isle of Wight, studied to call the attention of Parliament to the affairs of India. His views on this subject led him into connexion with the leading Whig members, whose principles he generally supported. He is supposed to have displeased Mr Pitt, by exclaiming of Lord Chatham, "He is dead, and has left nothing in this world that resembles him." In 1785, Mr Hastings returned home; and on the following year Mr Burke opened the celebrated impeachment. He was chiefly furnished by Mr Francis, both with his information respecting India, and with the grounds of charge. When Mr Francis was proposed as a manager of the impeachment, Mr Pitt objected to his name, as the only one who had a personal quarrel with Mr Hastings. On this occasion, his friends boasted without contradiction, of the high charac-

ter of Mr Francis,—his pure and unimpeached honour,—his natural abilities,—and extensive acquired information respecting India. But though none of these praises were disputed, the House, on good grounds, we think, decided against his being a manager. It has been supposed by some, that if the management had been intrusted to him, the superiority of his temper and judgment to that of Mr Burke, would have led to a more fortunate result. He acceded, however, to a formal application of the committee of management, to supply them with all the information in his possession, which could forward their views.

Mr Francis, from this time, took a leading part in all the debates respecting India. He stigmatized throughout the system of aggrandizement and extension of territory in that part of the world, which has been so constantly condemned, and so constantly acted upon. When the vote of thanks was moved to Marquis Wellesley, he maintained, that the presumption was against every one who made war in India, until it was proved, that such war had been the offspring of necessity. An inquiry, whether this was the case, ought therefore to precede any vote of thanks. He never ceased to prophecy, what has certainly been fulfilled, that all the wealth of India would never afford any surplus to relieve or enrich the British Exchequer. At length, on the 10th March, 1806, he took a final leave of the subject. "He had passed six years in perpetual misery and contest in Bengal, at the hazard of his life, for which he appealed to the chairman of the Court of Directors: then, a wretched voyage of ten months, and two and twenty years of labour in the same course, unsupported and alone. By endeavouring through all that portion of his life to maintain right against wrong, he had sacrificed his repose, and forfeit-

ed all hopes of reward or personal advantage; but now he had taken his resolution, and would do so no more. He would never more take an active part, much less a lead, in any discussion of Indian question."

Mr Francis took a warm interest in the abolition of the slave trade; and, on the 11th April, 1796, moved a bill to meliorate the condition of the slaves in the West Indies. On this occasion he bitterly reproached Mr Pitt, with giving to the cause only his personal influence and oratory, without using his influence as a minister. On the breaking out of the French war, he entirely concurred with Mr Fox and his friends, and joined with them in becoming a member of the society called the Friends of the People. On the 30th May, 1795, he submitted to that body a plan for a reform in the representation, which received their approbation. Being accused, however, as a votary of universal suffrage, he wrote a letter, in which he repelled in the strongest manner the holding of such an opinion, declaring that he had, on all occasions, resisted and reprobated it, treating it as "a dangerous chimera, set up on purpose to delude the lower classes of the people."

On the accession of the Fox and Grenville party to power, some thoughts are said to have been entertained of sending out Mr Francis as Governor-General to India. The honour of knighthood, however, was all that he received from that administration. About this time he vacated his seat in Parliament, and gave up all concern in public affairs. In 1817, however, indignation spurred him forward to make his appearance at the meeting of Middlesex freeholders, and protest against the proposed suspension of the Habeas Corpus Act. He was also present at the dinner given to Alderman Wood on his election as

Lord Mayor, to whom, on his health being drunk, he made a highly panegyric speech.

Sir Philip was finally affected with a malady of the prostrate gland, which produced a constant irritation, and finally proved fatal on the 2d December, 1818, at the age of 78. He left a son, bred to the Bar, and two daughters, Mrs Johnson and Mrs Cholmondeley.

The point which, of late years, has chiefly brought Sir Philip before the eye of the public, is the attempt made to prove him author of Junius. We must profess, that we judge of this question almost solely through the abstract of the arguments given in the Edinburgh Review; and public opinion seems now rather hostile to the supposition. Yet, for our parts, we cannot help thinking, that no person half so likely has yet been named. Surely some stress is to be laid on the total absence of any other name at all probable. Then come the circumstances of Sir Philip's life, his presences and absences from London; not to mention other minute coincidences, which we shall not here detail. We are of opinion also, that the characteristics of Junius's style have been found in Sir Francis. With reference to this remark, indeed, as well as to the other, that none of his acknowledged productions have obtained one-tenth part of the reputation of Junius—it may be observed, that they were esteemed by those who read them, and that Mr Burke called him the best pamphleteer of the age. But these effusions were of a very different character, and written on very different occasions, from the letters of Junius. They wanted that zest of personal anecdote and invective, which is the surest passport to public notice. They were on subjects which required to be treated in a grave and decorous manner, not affording scope

to the talent peculiar to Junius. But it would really appear, that when an occasion is given, that talent breaks forth. In addition to passages elsewhere quoted, we cannot help giving the following, which, especially the latter part, appears to us strongly Junian, and equal perhaps to any thing of Junius. In reference to Mr Pitt's speech on the slave-trade, he says, "I have not forgotten that illustrious night, when all the powers of his eloquence were summoned to the service, and exerted in the defence of justice and humanity, when he took the House at a late hour, exhausted with watching, and wearied with debate; when worn-out attention revived at his voice; when he carried conviction to our hearts; when reason in his hand seemed to have no office but to excite the best of passions in our breasts: then, sir, was the time, if he had nothing to consider but his own glory,—then was the moment for him to have chosen to retire from parliament, perhaps from the world. He had arrived at the pinnacle of Parliamentary honour, and at the summit of his fame; and there he should have quitted the scene. From that moment, and upon that station, in *my* judgment, he has done nothing but descend." It is true, there still remains the difficulty of his constant denial of a performance from which his name would have derived so much lustre; and the solution given in the Review no longer exists, since he has died without owning it. Yet there might still remain motives which might render it disagreeable for him to think, that a work, so entirely personal, should be known as his. His last years, too, appear to have been spent in abstraction from the world, and with considerable feelings of disgust and indifference to it. All his works, whether we include Junius or not,

were those, not of a politician, writing for temporary purposes and influence; none of them discover any ambition of literary fame. Lastly, the author of *Junius*, be he who he may, is now, in all human probability, dead, and has died without confession. It does not then appear that this argument can tell heavier against any one claimant than against another.

The resident landed gentry of this country form a class peculiarly characteristic of Britain, and form a prominent feature, both in its society and legislation. Its general aspect is respectable, and its influence salutary. If it affords somewhat too ample an allowance of drunken squires and senseless prodigals, it redeems these by a large proportion of very superior characters. The plain honest country gentleman, who resides chiefly on his own estate, proves the father of his tenants and villagers, gives an independent vote in Parliament, and promotes all patriotic improvements, exhibits human nature in one of her most favourable lights.

Among these characters, few hold a higher place than **GEORGE DEMPSTER**, proprietor of Dunnichen, near Dundee, an estate which his grandfather had earned by successful trade. He received his education first at the grammar school of Dundee, and then at the University of St Andrews; after which he removed to Edinburgh. Having gone over the preliminary studies, he was admitted a member of the Faculty of Advocates. This is a profession, in which young practitioners usually undergo a long probation, and which, indeed, by young men of fortune, is rather assumed as an ornamental title than a real and serious occupation. He availed himself chiefly of his residence in Edinburgh to cultivate the society of those distinguished men, from whose intellect that

are derived such lustre. He became a member of the Poker Club, a scene of intellectual conviviality, instituted by Dr Adam Ferguson, near the Netherbow. He formed an original member of the Select Society, composed of all the intellectual worthies of the last age, and finally matured into the Royal Society. Having enlarged his powers and observation by making the tour of Europe, he determined to enter into political life. After a very long struggle, which cost no less than 10,000*l.*, he was returned to Parliament for the Fife and Forfar district of burghs, and took his seat on the 25th November, 1762. He maintained his place for twenty-eight years, during the whole of which time he acted in the most honest and independent manner, siding with or opposing every minister exactly as he thought his measures conducive to the public welfare. Upon this principle he gave his decided support to the Marquis of Rockingham, and opposed the American war from beginning to end. He was nominated a Director of the East India Company, in opposition to the wishes of those who were supposed to possess the greatest influence there; but finding that he could not wean that body from its designs of conquest, or confine it to the humble routine of commercial employment, he quitted it, and became an advocate for an entire change in our oriental system. He declared on one occasion, that all chartered rights should be held inviolable, except the single charter of the East India Company; but this one should be destroyed, for the sake of the country, of India, and of humanity. He wished that the navigation of India had never been discovered, and conjured ministers to abandon all thoughts of sovereignty in that part of the world. On Mr Pitt's accession to power, Mr Dempster gave his cordial support to that great states-

man in his plans for the reduction of the public debt, his commutation tax, and his efforts to extend the freedom of trade. When, however, the question of the Regency came on, he objected to the restrictions proposed to be laid on the Prince of Wales, declaring, that the executive thus created was an "unwhig, untory-like, odd, anomalous monster."

In 1790, at the age of 55, he closed his career as a senator, but whether from choice or from being unable to contend with the influence of the Athol family, has been left uncertain. From this time he acted in a humble sphere, but where his exertions were perhaps more effective and permanently useful. The agriculture of Scotland, and its peasantry, were then in a state equally miserable. His own description will suffice. "I found," says he, "my few tenants without leases, subject to the blacksmith of the barony; thirled to its mills; wedded to the wretched system of out-field and in; bound to pay kail, and perform personal services; clothed in hoddens, and lodged in hovels." He immediately granted leases to his farmers, released them from all enforced rotation of crops, and dispensed with all personal services. Thus encouraged by the assurance that the fruits of their industry would be their own, they soon improved materially, both their own condition, and that of the estate. He united advice with example, to induce the neighbouring landlords to do the same; and though he complains of the slowness with which the impression was made, yet it cannot be doubted, that the new general diffusion of this improved system took place in a great measure through him. He improved, moreover, his own property, and instructed his neighbours, by draining and rendering fertile a great extent of moss; in the course of which operation, he discovered a large quantity of marl on

his grounds. He built also the neat village of Letham, and established in it a manufactory of linen and yarn.

Besides these private undertakings, Mr Dempster was the means of acting on foot others on a national scale, but in which the prospects of success, and the natural progress of industry, were not so exactly calculated. He had long entertained the most sanguine expectations as to the benefits which Scotland might derive from the fisheries on its coasts. Through his efforts chiefly, a joint stock company was formed, under the protection of Parliament, for promoting this great object. The nation was seized with a great enthusiasm for the undertaking; 5000*l.* came home from Bengal, and it was expected that the entire stock subscribed would amount to 150,000*l.* The society then purchased large tracts of land at Tobermory, in Mull, and at Ullapool, on Loch Broom, in Inverness-shire; they erected harbours, quays, store-houses, and leased ground for building. They afterwards added a station in the Isle Skye. Such a great branch of national industry, however, was not to be thus formed, especially by the loose and profuse management of a great joint stock company. In a few years, this fishery was found a very losing concern, and the value of its stock rapidly fell. The undertakers could only console themselves by imputing the failure to the breaking out of the war. Mr Dempster attempted also to found a manufacturing village at Skibo, on the coast of Caithness, imagining that the cheapness of labour and provisions would compensate for the local disadvantages; but this forced plant soon died, involving himself and his brethren in considerable loss.

Mr Dempster, while in Parliament, had spent part of every year in London. This practice he afterwards discontinued, but passed a great part of

his time at St Andrews, amid the scenes of his youthful studies, where he enjoyed an agreeable literary society, and met with his early and respected friend, Dr Ferguson. Through his life extended above the age of 80, he remained always serene, cheerful, and active, till a severe illness carried him off in the 13th February, 1818.

This year was also marked by the death of Sir THOMAS BERNARD, a gentleman whose diffusive philanthropy renders him well deserving of notice. His father being appointed governor of New Jersey, he received his first education in America, and on his return applied to the study of the law. His attention was chiefly confined to the branch of conveyancing, in which he obtained a respectable degree of practice. Having married, however, the daughter of the late Patrick Adair, Esq. he obtained with her so large a fortune, as rendered farther application to business unnecessary. From that time he devoted his attention entirely to philanthropic plans and pursuits. Britain derives a high and almost peculiar glory from a class of citizens, who seem to consider themselves as born for the welfare of their fellows; who devote their time, their thoughts, and their fortune, to that single object. She can boast not a few who have devoted their lives to the relief of the unfortunate; but the subject of this memoir is perhaps the only one who has embraced equally the highest and the humblest objects; who has at once studied to exalt and improve the most elevated classes of society, to relieve and instruct the lowest; and who has been equally successful in both pursuits.

The first object, to which Sir Thomas directed his attention, is perhaps the only one the felicity of which may admit of some controversy. Having distinguished himself as one of the go-

vernors of the Foundling Hospital, he was elected its treasurer, to which office an elegant and comfortable residence is attached; he held this place for seven years. 'In 1796, with the support of the Bishop of Durham, Mr Wilberforce, and other gentlemen, he founded the "Society for bettering the condition of the poor." Its main object was the instruction of the lower orders, among whom it was the means of diffusing a large mass of useful information. His next achievement was the foundation of the Royal Institution, which has contributed so much to the intellectual improvement of the metropolis. In 1810, it obtained the King's charter; an extensive library, and most valuable philosophical apparatus were formed; and a succession of the most eminent literary men have filled the office of lecturers. We need only mention Sir Humphry Davy, whose greatest discoveries have been facilitated by the command of instruments, with which he was here supplied. This institution has served also as an impulse and a model to similar establishments, both in the metropolis, and in other parts of the kingdom. With this he combined a literary club, called the Alfred, which still subsists, though it is said to have assumed more of a convivial character than was at first intended.

Descending again to the lower classes, Sir T. studied to obviate the want of church-room for their accommodation in the metropolis. With the consent of the rector, he established near Broad Street, St Giles's, a free chapel, with two schools attached to it. Upon this was afterwards grafted the society, called the Chapel Benevolent Society.

In 1805, Sir T. directed his views to the improvement of the fine arts. He sketched the plan of the institution called the British Gallery, having in view at once the exhibition of the pic-

tures of living artists for sale, and those of the old school for improvement and public gratification. This institution has completely fulfilled its object, and has continued to flourish during a long series of years.

Besides these more prominent objects, it is understood that there has scarcely been a recent benevolent undertaking of which Sir Thomas was not either in the front or the rear. The plans for extending vaccination—for stopping the progress of the typhus—for instructing the blind,—the proposition made to Parliament relative to children employed in cotton factories, and the sweeping of chimneys—are all said to have originated in the same quarter. His last effort was made to procure a repeal of the salt duties, the hardships of which, especially on the poor, he clearly pointed out in a pamphlet on the subject, which has been at least the means of procuring some mitigation of their pressure. His efforts on this occasion are supposed to have shattered his constitution, and aggravated a dropsical affection, which, on the 1st July, 1818, terminated in death, when he had nearly completed the 68th year of his age. He was twice married; and in one of his works has warmly panegyricized his first wife, to whom he was fondly attached.

In France this year, also died **BERTHAUD DE MOLEVILLE**, a statesman of some note. Previous to the Revolution, he held the office of Intendant of Brittany, and was employed, along with the Count de Thiard, to dissolve the Parliament of Rennes. This operation occasioned a rising of the youth in defence of the Parliament, in which De Moleville narrowly escaped with his life. He then repaired to Paris, and having strenuously espoused the cause of his unfortunate monarch, was, in October 1791, appointed Minister of the Marine. Being odious, however,

to the majority of the Assembly, he was violently denounced as having deceived the Legislative Body, and having employed aristocrats in the expedition to St Domingo. On the 19th December he made a speech, in which he painted in lively colours the disasters of the colonies, traced their origin to the friends of the negroes, and pointed out the means of remedying them. Notwithstanding the boldness of this speech, it was on the whole favourably received. In January 1792, he was accused by a committee, of allowing abuses in the establishment at Brest; but after long and tumultuous debates, which lasted for several days, the Assembly decreed, that there was no ground of charge. Next day, however, his enemies had influence to procure a decree, that observations on his conduct should be presented to the King; and Herauld de Sechelles was entrusted with this species of denunciation. The King replied, that he still gave his confidence to M. de Bertrand; but this answer raised such a ferment in the Assembly, that the minister himself chose a few days after to give in his resignation. Retaining still, however, the entire confidence of Louis, he was entrusted with the confidential office of watching the motions of the Jacobin party, and disposing the Royal Guard and sections in favour of the crown. He offered different plans for escape, which were not accepted. After the fatal 10th of August he was prosecuted, and with great difficulty made his escape out of France. He withdrew to London, where he established his residence. Here he wrote *Annals of the French Revolution* in nine octavo volumes, which, though somewhat prolix, were considered faithful, and drew a good deal of attention. He published also some correspondence with Mr Fox on the subject of the *Annals*, and wrote other works, which, with those now mentioned, were trans-



lated into English by R. C. Dallas, Esq.

This year terminated the life of several of the actors in those great military events which lately agitated Europe, and turned the tide of its fortunes. None took here a more conspicuous part, or attracted a greater share of the admiration of mankind, than PLATOFF, the Cossack chief. Without this singular equestrian force, forming the first light cavalry in the world, the Russian armies would often be a huge unwieldy mass, which might fight a battle with desperate energy, but could not occupy a country, or carry on the movements of an extended campaign. All their energies, however, were never fully displayed till they fought on Russian soil. The enthusiastic zeal of Platoff, their chief, against the French invaders, is attested by the memorable proffer of his daughter in marriage to the captor of Buonaparte, be he who he might. It was by the efforts of Platoff and his soldiers that Moscow was rendered absolutely untenable for the French army. Their clouds completely encircled that capital; men, horses, cannon, every thing that straggled, every thing that came out in the shape of detachment from the French army, was almost inevitably swallowed up. It has been calculated, that during the occupation of Moscow, upwards of 30,000 men disappeared without a blow. When the invading army began its final retreat, the Cossack *hurra* never ceased to resound behind them. The enemy at first had somewhat the start; but at Kolotsk, Platoff, with the light troops under Miloradovitch, came up with them, and cut off at Viasma and Dorogobuz a considerable portion of the rear guard. Platoff acted also a conspicuous part at Krasnoi, where the Russians, having blocked up the passage of the French army, succeeded in cutting off a large de-

tachment of the rear, under Marshal Ney. At Dombrowna, he took prisoners a body of 3000 men, which had escaped from Krasnoi. He now lost all account of the numbers taken, merely making the average estimate of 1000 a-day. In short, it is chiefly to Platoff and his Cossacks that we are to ascribe the almost total destruction of the French army in this fatal retreat. In the triumphant and unresisted march through Germany, Platoff and his Cossacks formed the advanced guard. The pitched battles of Lutzen, Dresden, and Leipsic, were not so favourable to the display of their peculiar qualities. When the war, however, was transferred into France, they performed in a superior degree the services peculiar to light troops, and obviated almost all the disadvantages of making war in an enemy's country. They secured the subsistence of the army,—kept up the communication between its different corps,—and held the enemy, and Paris itself, in perpetual alarm. The French bulletins reproached them, perhaps with some reason, for their habits of plunder, declaring that many of them were loaded with gold and jewels, and had eight or ten watches a-piece. It does not seem, however, that they could be blamed, when they occupied the palace of Fontainebleau, for carrying off the horse-cloths from the imperial studs. During this campaign, an incident happened, of which an interesting account is given by a foreign writer, an intimate friend of Platoff: “He heard, that near one of the spots destined for pillage, might be found the residence of Thaddeus Kosciuszko, late General of the Poles, who lived there in the occupation and seclusion of a peasant. Platoff dispatched a party of his Cossacks to protect the person and property of that great man, once the adversary of three invading sovereigns, but now even more illustrious in his obscurity, than at the

head of his Sarmatian troops. Kosciuszko and Platoff met; it was the embrace of two hearts as honest as brave. When Platoff related the incident to the narrator of this paragraph, it was with more than one tear in his eye; and precious are the tears which are drawn by the admiration of virtue. He knew how to value Kosciuszko; for he knew that he had not only defended his country against a press of foreign usurpation, but had refused wealth from the late Emperor Paul, and twice rejected the throne of Poland from Napoleon Buonaparte. Rather than receive adhesion from the enemy of his country, or be the crowned satellite of any emperor upon earth, he retired to a miserable village, and fed himself on bread and water."

The fatigues of these successive campaigns, though probably unfelt at the moment by the aged hero, made a deep inroad on his constitution. After the stimulus was over, exhaustion was deeply felt; and in the course of the present year he fell a victim to it at Novotscherkaak, the Cossack capital. A few months before, Alexander Scherbatoff, his second in command, had died, also a distinguished officer, and in the meridian of life.

General BARCLAY DE TOLLI was a German by birth, but entered early into the service of Russia, and gradually rose to the highest commands. His first appearance in history is at the battle of Pultusk, which immediately followed Buonaparte's invasion of Poland, at the end of 1806. On this occasion, he commanded the vanguard, under General Benningsen, and first received the attack of the enemy. The onset was made, however, with such superior numbers, that the Russian general was at first obliged to fall back upon a battery, which, opening upon the French, arrested their progress, and gave time till General Ben-

ningsen came up; and Napoleon for the first time sustained a repulse, which checked his career during a few months.

General Barclay de Tolli seems to have raised his reputation considerably by his conduct in this war; for in the great campaign of 1812, we find him commanding the right or principal wing of the Russian force stationed in Poland. Here he had to withstand the first onset of that immense army, composed of the accumulated troops of the whole continent of Europe, with which Buonaparte was preparing to overwhelm Russia. In such circumstances, retreat seems to have been the only choice left to the Russian general; and it was rendered still more imperious by the rapid movements of Napoleon, separating his part of the army from the left wing under Bagration. Barclay de Tolli, therefore, abandoned his fortified positions on the Niemen, and retreated, first upon Witepsk, and then upon Smolensk, where the separated parts of the army were again united. Smolensk was a very strong position, and had been fortified with extraordinary care, being generally considered as the bulwark of Moscow, which capital, it was supposed, must follow the fate of Smolensk. It was expected, therefore, that a general battle would be hazarded for its defence. The Russian general, however, contented himself with throwing into the place a detachment of 30,000 men, which kept up their communication, and received reinforcements from the main army. Buonaparte immediately began the attack, which continued with great obstinacy through the whole day, till in the evening the town being on fire, was evacuated by the Russians. The French bulletins censured Barclay de Tolli for not hazarding a general battle in this strong position, which they represented as the last chance of preventing the advance of Napoleon to Moscow.

They added, that the Emperor Alexander had given orders to defend Smolensk to the last extremity. We have scarcely materials of judging upon this question, and are naturally led to believe it at least fortunate, that Buonaparte was by any means led to plunge farther into the interior of Russia. It is certain, however, that the chief command was soon after transferred to Kutusoff, whose splendid successes secured its continuance during his life.

In the following campaign, Barclay de Tolly was not present at the battle of Lutzen. Having arrived, however, at Bautzen with a reinforcement of 14,000 men, he took the command of the right wing of the Russo-Prussian army. In the battle of Hochkirch, the enemy directed all his efforts to turn this wing, and by the general superiority of his numbers, was enabled to bring against it so overwhelming a force as at length obliged it to give way, and the whole of the allied army was thus finally obliged to retreat, though in excellent order. No blame seems even to have attached to the Russian general on this occasion; yet repeated misfortune seldom fails to create a prejudice against an officer; and we do not find him henceforth invested with any such high command. A Russian general, however, does not scruple to descend from a higher to a lower station; and we find him repeatedly commanding the reserve of the army during the French campaign.

Barclay de Tolly held the titles of Prince and Field-Marshal. He died at Interburg in Prussia, on the 25th May, 1818.

WINZINGERODE was another Russian General, who acted no inconsiderable part in the great continental war. The first high command with which he appears to have been invested, was after the occupation of Moscow by Buonaparte, when Winzingerode, with

40,000 men, was stationed to the north of that capital, covering the road to St Petersburg. In this situation, he took an active part in harassing the enemy, and contributed to make him abandon his hopes of Russian conquest, and determine upon retreat. After the evacuation of Moscow, a garrison was still left in the Kremlin. Winzingerode made himself master of Moscow; then anxious to prevent the effusion of blood, he advanced before his troops with a flag of truce in his hand, towards the French garrison, by whom, contrary to the laws of war, he was made prisoner and sent to Paris. This accident prevented him from figuring in the Saxon campaign; but before that of 1814 he had obtained his liberty, and was employed to bring up a reinforcement to the army under Blücher. He was first opposed at Soissons by a considerable French detachment; but by a brisk attack he carried the place, and made the whole garrison prisoners. His advanced guard of Cossacks then entered Rheims. On the 6th March, his division had to maintain a most obstinate attack from the main body of the French at Craone, and after an obstinate resistance, was obliged to fall back. When the allies made the grand movement upon Paris, which terminated the war, Winzingerode was left with 10,000 cavalry to observe the motions of Buonaparte. When the French Emperor, however, seeing the critical state of his affairs, turned back with his whole force towards Paris, Winzingerode had no means of arresting his progress, but was obliged to retreat before him with some loss. This was the last success of which Buonaparte had to boast.

Winzingerode, from his youth, had only attained the rank of Lieutenant-General. He died at Wisbaden on the 16th May, 1818, in the 49th year of his age.

## CHAPTER II.



### BIOGRAPHY—LITERARY.

*Mr Malcolm Laing.—Mrs Brunton.—Dr Macnill.—Dr Burney.—Mr Lewis.—Mr Gifford.—Dr Cogan.—Millin.—Visconti.*

MALCOLM LAING, whose research and acuteness rank him among the most respectable of Scottish historians, was born at Strynzia, an estate of which his father was proprietor, on the mainland of Orkney. After receiving the rudiments of education at the grammar school of Kirkwall, he repaired in due time to the University of Edinburgh, and, under its celebrated teachers, enjoyed every opportunity of cultivating his mind. He became also a close frequenter of the Speculative Society, and in its debates acquired that readiness and fluency of argument, which continued to form the leading feature in his intellectual character.

In 1785, at the age of 23, Mr Laing became a member of the Scottish bar; but though he continued to plead for a number of years, he never attained to extensive practice. This may appear singular, when we consider that his style of reasoning was peculiarly suited to his professional pursuits; but history and literature attracted the greater share of his attention; not to mention, that in his man-

ner he had not duly sacrificed to the graces. His speeches were uttered with an almost preternatural rapidity, and in harsh and disagreeable tones. His time, however, was intensely devoted to studies, of which the public soon began to reap the fruits. Dr Henry having died, leaving unfinished the last volumes of his great work on the History of England, Mr Laing, whose historical researches were already known, was applied to by his executors to complete it. He wrote accordingly the two last chapters, adding a dissertation on the alleged crimes of Richard III. The success of this specimen was so decided as determined him to give himself up wholly to his bias for historical writing. His researches were soon directed, in a peculiar manner, towards his native country; and the fruits of them appeared in a History of Scotland, in two vols. 8vo. The period included was from the union of the crowns to the union of the kingdoms; thus bringing down the plan of Robertson to the latest period which can belong to classical history. In all

his works, Mr Laing shewed a strong propensity to controversy, carried on indeed most ably and learnedly, but somewhat too much in the style characteristic of his profession, making himself the eager advocate of the side which he espoused, rather than a cool inquirer into the subject. In the choice of that side, he shewed no deference to popular opinion, but a certain preference of whatever doctrine would be most generally ungrateful and unwelcome. He tore up unmercifully by the roots all the tender flowers of national vanity and romantic feeling. In this spirit was composed the celebrated dissertation on Ossian, appended to the first edition of his History. There was no subject on which Scottish pride had dwelt more fondly and enthusiastically. Till that time, their authenticity was very generally acquiesced in; for Johnson's disdainful rejection was imputed to his austere and Anti-Scottish propensities, and served only to whet the zeal of the nation in defending them. But Mr Laing dug so deep into the subject, and brought his arguments so home, that the faith of the most credulous was at last shaken. A second edition being called for in a few years, he attacked another stronghold of national feeling, by an elaborate dissertation, tending to establish the guilt of Mary. This and other additions swelled the work to four volumes octavo. The subject, however, had in a great measure lost the hold it once possessed in the public mind. But, with regard to Ossian, the whole Highland world was in a ferment; and the clans mustered almost as fiercely round the aged bard, as formerly round their darling Charles. The Highland Society, then in all the zeal of a first establishment, devoted the most strenuous efforts and researches to vindicate the honour of their race; and they produced an elaborate Report, ably drawn

up by Mr Mackenzie. This, however, was met by Mr Laing with a new edition of the poems (2 vols. 8vo. 1805), in which he brought forward fresh matter of argument, and combated all that had been advanced against him in the Report. He proved now, that Macpherson had never shewn to any one, nor left behind him, any manuscript of Ossian whatever; that the originals produced were all in his own handwriting, and filled with corrections and interlineations, similar to those used by an author in composing his own work. From the full exposition now made on both sides, the candid reader will probably decide, that there were fragments floating in oral tradition, relating to Fingal and his heroes, and containing no inconsiderable portion of rude poetical talent, — that Macpherson incorporated some of these into his Ossian, but polishing, altering, and filling them up with a much larger proportion of his own composition; in short, there was something of Ossian, but much more of Macpherson.

Mr Laing took a considerable interest in the political questions of the day; with a decided leaning to the Whig side. In 1806, when the Fox and Grenville administration came into power, he warmly supported their plans for new-modelling the Edinburgh courts. At the same time, he was nominated by his native county as its representative in Parliament. He spoke on several occasions, and, notwithstanding the defects of his manner, with such force of information and argument, that he was listened to with respect. The state of his health prevented him from proceeding in this career. His nerves had always been weak, and they now fell into so shattered a state, as to produce almost perpetual suffering during the rest of his life. So distressing was often his situation, that, as we have been assured,

it was only by being kept artificially in a particular posture, that he was able to avoid fainting. In this situation he withdrew from the circles of literature and the world, and took up his residence on his property in Orkney. Here the activity of his mind was still exerted in the improvement of his lands, and in attempts to introduce a better system of cropping and management than had hitherto prevailed in this remote part of the world. He even made attempts to introduce the breed of Merino sheep, and on the whole, set examples of a better system of agriculture, which promise to be useful to this portion of the empire. Amid these useful avocations, the increasing pressure of disease brought his life to a termination in the end of 1818.

Mr Laing was happily married to Miss Carnegie, daughter of a gentleman in the county of Forfar, whose sister was married to Lord Gillies, one of the Judges of the Court of Session, and brother of Dr Gillies the historian. This lady survives him, but with no family. His property is inherited by Samuel Laing, Esq. his elder brother, who resides near Kirkwall. Gilbert Laing Meason, Esq. who in one memoir is named as his heir, derived his ample property from quite a different quarter.

The individual now commemorated had died in the maturity of years, and after having long withdrawn from the world. A much deeper emotion was excited by the loss, in the full bloom of life and genius, of one, who might justly be considered as the pride of Scottish female society. Since the death of Mrs Hamilton, no female writer commanded equal respect by her talents and character, as the authoress of *SELF-CONTROL*. By the authentic memoir communicated by her surviving husband, it appears that she

was the daughter of Colonel Balfour, of Elwick, cadet of an ancient family in Orkney. Her mother, daughter of Colonel Bigonier, had acquired in the house of her uncle General Lord Ligonier, rather the accomplishments which adorn a court, than those suited to so retired a sphere. Being a person, however, of talents and acuteness, she communicated probably to her daughter a variety of anecdote and information, and made her a proficient in music, French, and Italian. Upon the whole, however, Mary was indulged in a degree of freedom, which, though scarcely to be generally recommended, is often favourable to the growth of strong and original powers. Her studies were turned in a great measure towards poetry and fiction. At sixteen, however, the death of her mother devolved upon her the whole task of house-keeping, which, for four years succeeding, appears to have almost entirely occupied her attention. At twenty, she received an invitation from Viscountess Wentworth, a near relation of her mother, to reside with her in London. To the brilliant prospects thus opened, she preferred an outwardly humbler destiny. She had already become acquainted with Mr BRUNTON, a young clergyman of talents and accomplishments; and having again met with him in her way south, mutual attachment led to a matrimonial union. She retired with him to Bolton, a country living, reckoned small even in Scotland, and at the distance of twelve or fourteen miles from the metropolis.

In this retirement, the character of Mrs Brunton's mind was formed. Under the direction, and in company of her husband, she went through a more methodical range of study. Without renouncing *Belles Lettres*, she applied to history, the philosophy of mind, and received even a tincture of mathematics. She examined carefully the evidences of religion, and imbibed that

spirit of piety, which so strongly characterizes her writings. To the neighbours she did not appear at all in the character of a learned lady. Her manners, peculiarly plain and unpretending, gave merely the idea of a cheerful good-humoured companion, and a prudent housewife.

After six years' residence at Bolton, Dr Brunton's reputation as an orator and a man of talents, procured him a call to the situation of minister of Edinburgh, which forms a slight aristocratic distinction in this republican church. In Edinburgh, Mrs Brunton mixed extensively with society; both her powers and her confidence in them were gradually extended. The society of some intimate literary friends, with whom she here met, tended still more to unfold her talents. It was in order to amuse some intervals of leisure, that she began, in a desultory manner, the writing of *Self-Control*. Her vein of thought soon flowed spontaneously, and the work swelled on her hands. Ideas of publication began to arise in her mind; and in this first glow of authorship, she seems to have shewn peculiar emotion, when her future publisher declared, thoughtlessly perhaps, his readiness to undertake any thing that might come from her pen. A considerable part of the first volume was written before she was able, with strong agitation, to shew it to her husband. His warm and decided approbation fully determined her to persevere; and she now made the composition a regular part of her daily employment. It was shewn daily as composed, to Dr Brunton, who made in writing such remarks as occurred to him, leaving it to her to adopt them or not, as her own judgment dictated. Such, he assures us, was all the aid which he contributed, and which the public has been sometimes tempted to overrate.

In October 1810, *Self-Control* ap-

peared; and scarcely any event perhaps, ever caused a stronger sensation in this literary metropolis. Its vigorous and original character, its bold and lofty design, caused it to stand out completely from all ordinary works of the same nature. Even the rudeness of some of its features, and the room for criticism at least, which several of the incidents afforded, only heightened the attention which it excited. Mr Miller's table was soon covered with criticisms from the most noted wits, which were criticised in their turn, by the numerous and gay frequenters of his literary rendezvous. In short, all Edinburgh was in a ferment; the edition disappeared like magic, and the success of the work was decided.

Soon after the publication of *Self-Control*, Mrs Brunton, in company with her husband, made an excursion to London, and several parts of England. On settling again in Edinburgh, it came under discussion, what was to be the next occupation of her pen. After various discussions, Dr Brunton suggested *Discipline*, as a proper sequel to *Self-Control*, by shewing "the means through which, when self-control has been neglected, the mind must be trained by suffering, ere it can hope for usefulness or for true enjoyment." This idea met her approbation, and the work was begun about the end of the year 1812. In order to avoid, if possible, the defects of story with which *Self-Control* had been represented, she drew out a sketch of the plan; but it was meagre, and imperfectly adhered to. She entertained very sanguine hopes from the Highland passages at the end of the volume; but before these were begun, *Waverley* appeared; and while giving her most cordial admiration to its excellencies, she considered them as fatal to any efforts that she could make in the same style. She was persuaded to go on; yet this part of her

work was not considered the best ; and indeed, we apprehend, that her excellence must ever have consisted in strength of thought and passion, not in the delineation of local manners. Discipline was finished in somewhat less than two years, and appeared in December 1814. It did not make the same sensation as its predecessor, yet was received, on the whole, equally well. It has the same excellencies, with fewer faults ; though perhaps there may be somewhat less of boldness and freedom in its general tone.

The appearance of Discipline was followed by another visit to England, on returning from which, still greater embarrassment was felt as to a new subject. Distrustful of her capacity to combine a long continued narrative, she determined upon a new series of smaller domestic tales. In this view she began the story of Emmeline. Composition, however, seems now to have become a task ; and her time was greatly encroached upon by the numerous friends who courted her society, as well as by many public charities and benevolent institutions over which she presided. Sickness, and the loss of an intimate friend, were additional causes of delay ; so that several years elapsed, without much progress being made. At length she seemed to feel a revival of her former enthusiasm, and was beginning to proceed with ardour, when a fatal event interrupted her progress.

Dr and Mrs Brunton had never been blessed with children ; and such a period had now elapsed, as probably put an end to all expectations of that nature. In the course of the present year, however, symptoms of pregnancy made their appearance. From the first she entertained the impression, that her confinement would prove fatal ; and this was so strong, that she even arranged the most minute circumstances and preparations connect-

ed with such an event. Her piety and strength of mind, however, enabled her to preserve her tranquillity and cheerfulness uninterrupted, even on its near approach. Her forebodings proved too just. On the 7th December she was delivered of a still-born child, and, after the most favourable appearances of recovery for some days, she was attacked with fever, and died on the 19th.

The tale of Emmeline, which has been mentioned as begun, was left only as a fragment, and notwithstanding the disadvantage it thus sustains, was, we think very judiciously, published. Its object is to shew the little chance of happiness there is, when the divorced wife marries her seducer. Though the subject is rather too painful for a species of work which can instruct only by pleasing, it displays an energy of thought and feeling certainly not surpassed, if equalled, in any other writings. Dr B. indeed, expresses his opinion, " that in all which she had done, she was only trying her strength ; and that if her life had been prolonged, the standard of female intellect might have been heightened, and the character of English literature might have been embellished by her labours." We shall not attempt any general character of works whose merits have been the subject of such frequent discussion. Of her personal character Dr Brunton has, with natural delicacy, refrained from drawing any elaborate picture ; but we may quote the words of Dr Inglis, who, in a funeral sermon preached on the occasion, describes her as " one from whose converse we had invariably derived at once instruction and delight—whose piety was so genuine, that while never ostentatiously displayed, it was as little in any case disguised—whose mental energies communicated such a character and effect to both her piety and her active bene-



ficence, that they often served the purpose of an example to others, when such a purpose was not contemplated by her whose mental energies, great as they were, yet derived their chief value from being stedfastly consecrated to the interests of truth, and the cause of virtue, and whose native simplicity, and openness of mind, imparted to all her endowments a value, which no talents can otherwise possess."

This year Scotland lost one of the sweetest and most pleasing of her native poets. HECTOR MACNEILL was born at Rosebank, near Roslin, about six miles from Edinburgh. His father had been in the army, where he had been patronized by the Duke of Argyll, and had mingled in the first company; but having offended his patron, by selling out without his advice, he was left afterwards to his own resources. He took a farm at Rosebank, but some imprudences, and the habit of living in a manner beyond what he could now afford, completely involved his affairs. Having then a large family, it became necessary that the sons should, as soon as possible, be made independent of him. The only expectation for Hector was from a cousin, who carried on a mercantile concern at Bristol. The father, therefore, confined his education to the commercial branches, dreading, from his own example, the effect of more refined and classical instruction. The youth discovered excellent parts, with an elegance and refinement of taste, which seemed to mark him for a different destination from that intended. At the age of eleven he had written a species of drama, in imitation of Gay. His master earnestly entreated to be allowed to give him some of the higher branches; but on this his father put a decided negative. The attachment, however, of the teacher to his pupil, induced him to impart secretly

some elements of this forbidden knowledge. From the father, meantime, young Macneill received many anecdotes of the world, a high sense of honour, and the feelings of a gentleman.

As soon as young Hector had completed his fourteenth year, he was sent off to his cousin at Bristol. On his way, he spent some months at Glasgow, where he completed himself in several branches of education. The cousin was a rough, boisterous, West India captain, who could not estimate the genius of Macneill, but was pleased with some instances of his spirit. He proposed to him first an expedition in a slave-ship to the coast of Guinea, but was diverted from it by some female friends, who rightly judged this destination wholly unsuited to the youth's disposition. He was therefore sent on a voyage to St Christopher's, with the view of making the sea his profession if he liked it; otherwise he was furnished with an introduction to a mercantile house. On his arrival, being completely disgusted with the sea, he hesitated not in accepting the latter alternative. We cannot fully, from this time, trace the thread of his adventures; but we understand that, in a few years, this amiable bard ended in being the manager of a plantation, *alias* a negro-driver. Nay more, he became a strenuous advocate for the system of West India slavery, and wrote a pamphlet in its defence. It is but justice to state, however, that his defence is not of the actual, but of an ideal state of negro slavery. He insists, that if masters would treat their slaves well, would attend to their religious education, would encourage marriage, with penalties against the violation of its duties, would attend generally to their moral conduct, and would themselves in their intercourse with them, abstain from all irregularities—that then

the negro slaves might become a virtuous and happy community. He forgets nothing except to say, how or where such masters are to be found, or at least, how they can ever exceed the proportion of one in twenty.

Without being able to trace distinctly the career of Mr Macneill, we are sorry to say, that it was unfortunate. When upwards of forty, he returned to Scotland in a wretched state of health, and without having earned even a moderate independence. Even in this situation, however, he began to amuse himself with poetical composition. In 1789, he published "the Harp, a legendary tale;" which brought him into some notice in the literary circles. In 1795, appeared, "Scotland's Skaith; or the History of Will and Jean; ower true a Tale;" the work by which he is most advantageously known. Its excellent intention and tendency, with the strokes of sweet and beautiful pathos, rendered it one of the most admired productions that have been written in the Scottish dialect. In 1796, he published as a sequel to it the "Waes of War." About the same time he produced "the Links of Forth, or a Parting Peep at the Carse of Stirling." This is a descriptive poem, but though not devoid of merit, it is more labour-ed, and less pleasing. He wrote also a number of little songs, some of which possess much sweetness and beauty. Not being able, however, to find any means of providing a subsistence, necessity compelled him to seek again the burning sun of the West Indies. After a residence there of only a year and a half, Mr Graham, an intimate friend, died, and left him an annuity of 100*l.* a-year, with which he immediately returned to Edinburgh, and enjoyed, during the rest of his life, the sweets of literary leisure and society. His reputation and manners procured him ready admittance into the most

respectable circles; He enjoyed particularly the intimacy of the late Mrs Hamilton. He was then a tall, fine-looking old man, with a very sallow complexion, a dignified and somewhat austere expression of countenance. His conversation was graceful and agreeable, seasoned with a somewhat lively and poignant satire. Having experienced, probably, that devotion to the Muses had not tended to promote his success in life, he gave no encouragement to it in others, and earnestly exhorted all who wrote poetry that appeared to him at all middling, to betake themselves to some more substantial occupation. In 1800, he published, anonymously, the *Memoirs of Charles Macpherson*, which is understood to contain a pretty accurate account of the early part of his own life. In 1801, his poetical works were collected in two vols. foolscap 8vo, and passed through several editions. The last was printed in 1812. In 1809, he published the "*Pastoral, or Lyric Muse of Scotland*," in 4to, a work which did not draw very much attention. About the same time he published, anonymously, "*Town Fashions, or Modern Manners Delineated*," and also "*Bygone Times, and Latecome Changes; a Bridge-street dialogue*." These pieces, like almost every thing he wrote, had a moral object; but the present one was tinged with his feelings as an old man. It appeared to him that all the changes which had taken place in society, the increase of luxury, even the diffusion of knowledge, were manifest corruptions; and all his anxiety was to inspire a taste for the plain old style of living. Wishing to suit the style to the matter; he affected a very homely phraseology; and as this was not natural to him, he overdid it, and disgusted rather than persuaded. Yet he clung very fondly to these bantlings of his old age, and even rated them higher than the more

elegant productions of his former pen. Their only real beauty, though he was insensible of it, consisted in a few pathetic passages.

Our author also wrote with the same views, and too much in the same style, a novel, entitled "the Scottish Adventurers, or the way to rise," 2 vols. 8vo. 1812. During this time also, he contributed a considerable number of detached papers to the Scots Magazine.

Since Dr Macneill's return, his life had been almost a constant malady; and it was only wonderful, that he survived till the present year, when an attack of jaundice being added to his other complaints, carried him off on the 15th March.

Few families have included a greater variety of talent than the Burneys. Charles Burney, doctor of music, and one of the most eminent professors of that art in Europe, acquired for himself a place in the literary world by his History of Music, and by the Narrative of the Travels which he undertook in collecting materials for it. Miss Burney, afterwards Mrs d'Arbigny, need only be mentioned as the authoress of *Evelina*, *Cecilia*, and *Camilla*. James Burney, her brother, is the companion of Cook, and the author of a learned History of Voyages to the Pacific Ocean. Equally eminent, in a still higher department, was another son, CHARLES BURNES, the subject of the present memoir. He was born at Lynn, in Norfolk, on the 4th December, 1757. The family, however, soon after removed to London, and young Burney received the rudiments of his education in the Charter-house, after which he repaired to Caius' College, Cambridge. He already distinguished himself by his knowledge of the Greek language; with a view to further improvement in which, he removed to King's College, Aberdeen, where, in 1781, he

took the degree of M.A. In 1782, he commenced his career as a classical teacher, first in an academy at Highgate; and then, upon the recommendation of Dr Dunbar of Aberdeen, in that of Dr Rose of Chiswick. He married a daughter of Dr Rose's; and, in 1786, opened an academy of his own at Hammersmith. After remaining there seven years, he opened the classical Academy at Greenwich, which became soon one of the most celebrated in the kingdom; and the reputation of which is still supported by his son. He was already known as an able classical critic. His friend, Dr Rose, being connected with the Monthly Review, he introduced into that work strictures on a publication of Mr G. Isaac Huntingford, which made his talents fully known to the literary world. He produced afterwards, an "Appendix to Scapula's Lexicon," "(Observations on the Greek Verses of Milton," and an edition of the "Letters of Bentley." These works, with his success in teaching, established his reputation as one of the first Greek scholars of the age, and as one of a triumvirate, of which Parr and Porson were the other two members. The success of his Academy having put him in possession of an ample income, he began to distinguish himself by the collection of that classical library, which has thrown lustre upon his name. Greek, particularly the Greek drama, formed its leading feature, with considerable attention to the dramatic literature of every country. His collection of manuscripts was also very ample, of which the Townley Homer has been valued at 1000*l*. Agents were employed, both at home and abroad, to collect whatever was rare and valuable.

Amid those studious habits and pursuits, Dr Burney was alive to social enjoyment. His conversation displayed powers which would have ensured

distinction, even independent of his learning; and he possessed a fund of anecdote, which rendered him acceptable in every society. His table was hospitable; and he valued himself particularly on the possession of the very best wine. His only peculiarity at all troublesome, consisted in a deadly aversion to fresh air,—so that, whenever any one entered his apartment, he mechanically exclaimed, in a tone of authority, “Shut the Door.” In the characters of others, learning was the chief object of his veneration; and he viewed it with a respect quite unconnected with envy. Parr and Porson, his great rivals, were always viewed by him with the utmost kindness, and his respect for them was testified on every possible occasion. He entered into holy orders, but too late in life to obtain any high promotion in the church. For some years before his death, finding his health decline, he resigned his Academy in favour of his son, and retired to his rectory at Deptford. His constitution continued to decay, till, on the 28th December 1817, he was carried off by a stroke of apoplexy. As it appeared important to the public that his magnificent library should not be dispersed, Mr Banks presented a petition from the trustees of the British Museum, requesting parliamentary aid in order to purchase it entire. The motion being supported by Mr Vansittart, was referred to a committee, whose very interesting report is inserted in the Appendix. The result was, that a sum of 13,500*l.* was voted by Parliament, to be applied to the purchase of the library.

MATTHEW GREGORY LEWIS was the son of Mr Lewis, who officiated for many years as deputy-secretary in the War-Office, where he enjoyed a salary of 16,000*l.* a-year,—a sum unexampled in the present days of more rigid economy. Young Lewis recei-

ved the first elements of his education at Westminster School; after which, he removed to the continent, and spent several years in Germany. Here he applied, with peculiar ardour, to the literature of that country, and imbibed thoroughly the German spirit;—that, at least, which reigns in its tales, romances, and ballads;—the supernatural and the horrible,—all the demonology of the Belles Lettres. In this spirit, while abroad, he composed the *Monk*, a romance, in three volumes, published in 1795, and which made a very strong impression on the public. While the wild and original genius displayed in it extorted admiration, the indecent freedom of some of the scenes was strongly reprobated. This circumstance, indeed, so much affected the author, that he called in the remaining copies of the first edition, and published a second, in which the exceptionable passages were mostly pruned away. Judging from this last edition only, we should be tempted to suspect that the outcry was somewhat exaggerated,—the general tone of the work appearing to be much more that of horror, than of voluptuousness,—agitating and appalling, rather than seductive. About this time he obtained a seat in Parliament, and was supposed to aim at distinction as a parliamentary orator; but, when in the House, he never could summon courage to open his lips. He threw up his seat, therefore, and betook himself entirely to the drama and literature. His next performance was the *Castle Spectre*, a drama, performed with extraordinary success at Drury Lane, in December, 1797, and containing certainly great boldness and pathos. It may be considered as tending to corrupt the stage, by introducing the practice of courting success by the exhibition of splendid scenery. Hence, for a long time, genuine tragedy gave place entirely to mere spectacle,—nor

is the same taste yet wholly banished. In 1801, he published two volumes of poems, under the title of *Tales of Wonder*,—which name their contents fully justified. He now betook himself to romance, and, in 1804, published the *Bravo of Venice*, in one volume; in 1806, the *Feudal Tyrants*, in four volumes. He published also, *Tales of Terror*, in three volumes, and *Romantic Tales*, in four volumes; but the curiosity of the public in this direction was now worn out. These last works excited less interest, and his publications became less frequent.

Mr Lewis having succeeded, on the death of his father, to a considerable property in the West Indies, determined to visit it. His principal motive is said to have been a desire to meliorate the condition of the slaves employed on the property. If this was the motive, he fell a martyr in the cause of humanity; for, having contracted the disease of the climate, he brought it along with him, and died in the Gulf of Florida, in the spring of 1818.

JOHN GIFFORD, one of the most active political writers of the present day, was born in 1758. His original name was Green, being the son of John Green, who was bred to the profession of the law, but died early. At the age of 17, the death of a relation put him in possession of some landed property, on the strength of which he was entered as a commoner in St John's College, Oxford. This situation, which connected him with many young men of large fortune, was one cause of leading him into ruinous habits of expence, totally inconsistent with his limited prospects. Having removed to London, his extravagance became still more boundless; and as his guardians refused to supply him with the means of supporting it, he had recourse to the ruinous expedient of borrowing at

usurious interest. The consequence was, that the age of 21, instead of putting him in possession of his fortune, was the era of his ruin. The accumulated claims poured in to an extent beyond what his fortune was equal to meet. He was obliged, not only to sell his property, but, that proving insufficient, to go abroad under the changed name of John Gifford. Here, left to solitude and rueful musings, he was fortunately led into habits of study and application, to which he had been hitherto a stranger. Having taken up his abode in the vicinity of Rouen, he applied diligently to the study of the literature of France,—and particularly its history. The fruits of these studies appeared on his return to England in 1788, when he applied himself to the composition of a *History of France*, which appeared in five successive 4to volumes, between 1791 and 1794. During this interval, too, he engaged eagerly in those political discussions, to which the first progress of the French Revolution gave rise. At that time, the periodical press, both in regard to reviews and newspapers, was almost entirely in the hands of the Whig, or rather the republican party. In 1792, he published an *Address to the People of England*, to which was annexed, an *Abstract of Paine's Life and Writings*. He translated Lally Tollendal's *Vindication of the Emigrants*; and circulated widely, an "*Address to the Loyal Associations*." Mr Cobbet also, who was then at a very different point of the political meridian than now, having emitted "*A Bone to gnaw for the Democrats*, by Peter Porcupine," Mr Gifford introduced it by a preface, entitled, "*A Rod for the Backs of the Critics*, by Humphrey Hedgehog." At that time, the passions ran too high to admit of any thing sober or reasonable. Mr Gifford took the loftiest ultra loyal tone; he held as revolutionists and enemies of

their country, all who, in the state, opposed any of the measures of government; and, in church, all dissenters whatever,—whether Presbyterian or Calvinistic on one side, or the disciples of Price and Priestley on the other. He even accused ministers, and the law officers of government, as too tame and supine. He aided in the establishment of the British Critic; and probably thinking it too moderate, afterwards set on foot the Anti-jacobin Review. He edited the Narrative of a “Residence in France, during the years 1792, 3, 4, and 5, by an English Lady,” a work which was popular at the time, and passed through several editions. His last and greatest work, was the Life of Mr Pitt, published in 1803, in three volumes 4to, and afterwards in six volumes 8vo.

For these exertions in the service of government, Mr Gifford was rewarded by an appointment in the Police Office, which he exercised, first in Worship Street, Shoreditch, and afterwards in Marlborough Street. As the emolument of this office was moderate, and as duties were attached to it, which he was very well qualified to execute, it cannot be considered as paying a very high price for so much loyalty. Towards the end of his life, he resided chiefly at Bromley, in Kent, where he died on the 6th March, 1818, in the 60th year of his age. He was twice married, and left several children.

THOMAS COGAN, a writer and philanthropist of some eminence, was born at Rowel, in the country of Northampton, on 8th February, 1736. His father was a respectable and diligent apothecary, who gave an excellent education to a numerous family. Thomas was placed at Kibworth, in Leicestershire, in the flourishing academy of the late Dr Aikin, father of the eminent physician and writer of the same name. He was educated for

a dissenting clergyman; a situation for which he was well qualified by morals, character, and learning; but having contracted a passion for controversy on abstruse theological subjects, he was suspected of having imbibed some opinions adverse to those entertained among the class to whom he sought to recommend himself. He was induced to repair to Amsterdam, where he received a temporary situation. He met, however, with a much greater good fortune in the acquaintance of Miss Groen, or Green, who possessed from 8000*l.* to 10,000*l.*, and was also a very good and agreeable person. Thus made independent, he yielded to a propensity he had long entertained for medicine, and repaired to the celebrated schools of Leyden. By a singular taste, the obstetric branch possessed attractions for him beyond any other. After obtaining considerable reputation as an *accoucheur* in several of the great Dutch towns, he removed to London, where he attained a very respectable practice, and was for some time in company with Dr Sims. At this time, he had the opportunity of rendering an important service to the public. In consequence of the numerous canals, which intersect the streets of Amsterdam, the drowning of children was a frequent accident, and was submitted to by the citizens with Dutch apathy, as an evil admitting of no remedy. Happily, however, a tender mother having her son brought in lifeless, made such exertions by the use of the warm-bath, friction, and other remedies, that she had the happiness of restoring him. This roused the attention of the citizens; a society for the restoration of drowned persons was immediately formed, and attended with the most beneficial effects. Seven years after, Dr Cogan and Dr Hawes, aided by Dr Lettsome and some other gentlemen, established the Royal Hu-

mane Society for the recovery of drowned persons. The first anniversary of this institution was on 15th April, 1774; and it was celebrated ever since by an annual dinner, at which a prince of the blood has frequently presided. The dinner is preceded by a sermon; and after it, those restored to life, by the efforts of the society, have frequently walked round the saloon in solemn procession. In the course of less than half a century, 4411 persons have been resuscitated in this manner.

Dr Cogan, possessing a fortune equal to all his wants, and having no family, determined, in 1780, to retire from business. He went to reside in Holland, which his wife probably preferred, and which he himself had almost learned to consider as a native country. He might have remained there for life, had not the entrance of the French into Holland induced him to return to England. From materials collected abroad, he now published a *Journey down the Rhine*, 8vo, 1794. Returning to the west of England, he took a large farm, and though agriculture was quite a new occupation, soon excelled in it. He was the means of spreading several new and approved practices, and obtained several premiums from an agricultural society to which he belonged. He then applied himself to cultivate with success the department of moral philosophy. He published in 1802 a "*Philosophical Treatise on the Passions*, in one volume, and afterwards an *Ethical Treatise on the same subject*, in 2 vols. 8vo. These treatises were chiefly practical, and were well received by the public. In 1817, he published *Ethical Questions, or speculations on the principal subjects of controversy in moral philosophy*; but in these speculative discussions, he appears to have gone beyond his depth. He supports the theories of Priestley, and attacks, without well understanding,

those of Reid, Beattie, and other Scottish philosophers. Some years before his death he had given up all employment, and divided his time between Bath and London. Being affected, however, with asthma and severe cough, his strength gradually gave way, and he died with an uncommon dignity, christian calmness, and resignation, on the 2d February, 1818, in the 82d year of his age.

We had prepared a notice of Mr Brydone, the celebrated traveller, who died during the present year; but having since obtained hopes of a more ample and fully authenticated memoir, we are induced to delay, for the purpose of introducing it into our next volume.

France, this year, lost an eminent antiquary and writer, the Chevalier ANDRE LOUIS MILLIN; he was born at Paris, of a family which had risen to distinction, both in the army and the magistracy. Either of these careers was open to him, but he preferred the pursuits of literature, which his independent fortune enabled him to pursue uninterrupted. Till the age of twenty, he merely indulged a taste for various reading, particularly of foreign works, and the fruits of his studies appeared in "*Melanges des Litterature Etrangere*, 6 vols 12mo, Paris, 1785." Soon after, an intimacy with a young man of the name of Willemot inspired him with a passion for botany; and imitating the examples of Monteuila in mathematics, and Baillie in astronomy, he planned to compose a *History of Natural Science*. After having exhausted all the means of information in this branch which Paris afforded, he went to Strasburg to visit Professor Hermann. From him he derived a passionate attachment to the Linnæan system, against which there existed then in France a strong prejudice. He prevailed, however, upon six other

naturalists to form with him a Linnean Society, about the same time that Dr Smith established one under the same title in London. The Academy of Sciences, however, seized with what appears an unworthy jealousy, threatened to shut their door against the members of this body, which was in consequence dissolved. After the revolution, it again met, under the title of "the Society of Natural History." It experienced now great success; and M. Millin, farther to spread the fame of his master, instituted an annual fête in honour of LINNÆUS; he translated also "Pultney's General View of the Writings of LINNÆUS." M. Millin, being secretary to the Society, edited several volumes of its transactions; he also assisted in courses of lectures given by the Society.

These pursuits suffered now a terrible interruption. M. Millin had been an advocate for moderate reform; but this did not prevent him from being included in the proscription of Robespierre. He was immured in a dungeon with 150 of the most illustrious names in France, whom he saw successively depart for the scaffold. His day was fixed for the 11th Thermidor; but on the 9th, the stroke of fate fell on his persecutor; and he was restored to the world. His fortune, however, was gone; but the new government conferred on him several literary appointments, which insured his subsistence. He now also undertook the *Magazin Encyclopédique*; a continuation, on an enlarged plan, of the *Journal des Savans*. It enjoyed high favour with the public, and continued long to be the medium, through which many of the first men of science communicated their observations to the public. This publication, in 1816, extended to 130 volumes, when it was discontinued on account of some stamp regulations adopted by the Bourbon government. Soon after, however, it

was resumed under the title of *Annales Encyclopédiques*.

In 1794, on the death of the Abbe Barthelenji, M. Millin was chosen to succeed him as keeper of the Cabinet of Medals in the National Library. From that time he gave up national history, and devoted himself entirely to the duties of this new function. He sold all his cabinets and collections, and with the produce purchased medals and books of antiquities; he gave lectures on the subject; he made journeys to Italy and the south of France, for the purpose of exploring their antiquities, and published valuable narratives of these travels. In the course of them, he suffered one of the greatest calamities which can befall a collector and man of letters. He had left his library in charge of a person who had been long in his service, but whom he had frequent occasion to blame for recent misconduct; notwithstanding which, he still kept him and treated him with kindness. This wretch, impelled either by revenge or frenzy, set fire to the collection; and the whole, consisting of 12,000 volumes, 100 portfolios of engravings, and numerous original MSS. became a prey to the flames. He even took the prints out of the portfolios, and piled them on the floor, to insure their destruction. The neighbours being alarmed, and attempting to enter, he threw out first a false key; and when they at last penetrated to his room, he was found with his throat cut, and weltering in his blood. Before his death, however, M. Millin had in some degree repaired this loss. He died at Paris, on the 14th August, 1818.

Italy, this year, lost an inquirer, almost unrivalled in the exposition of ancient arts and monuments. ENNIUS QUIRINUS VISCONTI was born at Rome in 1753, and was fortunate in a father, who was himself a learned



antiquary, and keeper of the Pontifical Museum. Young Visconti shewed early the talents which afterwards so much distinguished him; his childhood was spent in decyphering inscriptions, explaining medals, and describing monuments. An exhibition of this knowledge, made at the age of twelve, before an assembly of cardinals, excited the utmost astonishment. He reached maturity at the moment when the successful researches of Winckelman, Lanzi, and other learned men, had opened a wide field of antiquarian inquiry. "A man, however," says Rochette, "was still wanting who should collect the scattered discoveries, and should unite in himself all the different species of science, necessary to fix our knowledge of the ancients and their arts on a solid basis." Such a man was Visconti, who, in his description of the *Museum Pio-clementinum*, erected a monument, which will always do honour to his memory. Texts, medals, inscriptions, statues, basso-relievos, are all admirably classed, and made to illustrate ancient religious and political institutions, and mythological traditions. The highest degree of enthusiasm for these pursuits was combined in him with solid judgment and deliberate inquiry. He published afterwards

the *Monumenti Gabini*, the description of the *Villa Borghese*, and other works of equal merit. When the French carried off these monuments of art to Paris, they removed Visconti along with them, and he was appointed Keeper of the Museum. During his stay in France, he contributed most valuable accounts of the antiques contained in the *Musée Francois* and *Musée Royal*. His last work, which promised to prove the greatest, was his Greek and Roman Iconography, one of the most remarkable works of the age, both for its magnificence in point of art, and for the original and curious information contained in it. Only one volume in folio appeared before the lamented death of the author. Besides his works, his learned contemporaries peculiarly valued him for the ready and sure information to be obtained from him upon every subject. "It was not," says one of them, "a learned man that we consulted; it was a book always open; a sort of library open to all the world." His opinion bore almost the authority of an ancient. In this view it was anxiously sought by the English government, in its investigation of the value of the Elgin marbles. M. Visconti left a widow, with two children, and only a moderate inheritance.

## CHAPTER III.

## VIEW OF IMPROVEMENTS IN SCIENCE DURING THE YEAR.

*Oxygenation of Acids and of Water.—Constitution and Analysis of Mineral Waters.—Impressions of Cold from the Higher Atmosphere, and the New Instrument called the Æthrioscope.—Operations for determining the Figure of the Earth.*

## OXYGENATION OF ACIDS AND OF WATER.

ONE of the most interesting trains of research in experimental chemistry that have recently appeared, is that of the indefatigable chemist, Thenard, on the oxygenation of the acids and of water. The final result is the obtaining of oxygenated water, or, a deutoxide of hydrogen, as the atomic chemists denominate it, from the idea, that in a state of purity this compound has a double proportion of oxygen (compared to the hydrogen) that water or the protoxide has. The leading instrument by which he was enabled to accomplish this combination was the peroxide of barium; and, as the process is somewhat long, and apparently complicated, we shall describe its different stages in a regular and deliberate manner. It is thought complicated, chiefly because several of its steps depend on comparatively recent discoveries, all of which require to be well understood; but many of those facts in chemistry which are reckoned plainer and easier would present

equal complication if all the steps of manipulation, by which the ultimate products are obtained from the substances in their natural and crude state, were reported to us for the first time. These have become easy in consequence of certain steps being already familiar to us, or certain intermediate products being well known. This is not exactly the case in the present instance; and, therefore, though with those whose chemical knowledge was acquired some years ago it requires more care to reach the conclusion, it is to be recollected that each of the intermediate steps is to be considered as a separate discovery, and that the greater time and attention demanded for the ultimate object is rewarded with the knowledge of a series of scientific acquisitions, all of them elegant. This series may be divided into these distinct stages:—I. The obtaining of barytic earth, or pure barytes.—II. From this the obtaining of the peroxide of barium.—III. The oxygenation of different acids; and, IV. The oxygenation of water.

I. Barytes is obtained from the heavy spar, found to be a sulphate of barytes, which is for this purpose pounded, mixed with charcoal, and subjected for a length of time to an intense heat. The acid is decomposed by the charcoal, and its radical, the sulphur, combines with the barytic earth to form a sulphuret of barytes. This is treated with nitric acid, which combines with the barytes to form a liquid nitrate of barytes, and from which crystals of that barytic salt are obtained by evaporation. For the purpose of procuring this salt in a very pure state, and, above all, free from any iron or manganese, it should be again dissolved in water, a small excess of barytic water added, and the solution filtrated, and then crystallized. The pure nitrate thus obtained must be decomposed by heat, to extract the barytes. This must be done, not in an earthenware retort, because this contains both iron and manganese, but in a retort of fine white porcelain. If four or five pounds of the nitrate are thus treated, the operation should last three hours, after which BARYTES remains. It is combined with some siliceous alumina, from the fusion with the retort, but free from iron and manganese, which is an essential circumstance.

II. The pure barytes thus obtained has been found, by galvanic analysis, to consist of a peculiar metal, in combination with oxygen. The metal is called barium. This metal is found to have the property of combining with a larger proportion of oxygen than that which forms this earth. It now forms a peroxide of barium. The formation of the peroxide is accomplished by exposing the pure earth to oxygenous gas, under an elevated temperature. The barytes is cut into pieces about the size of the end of the finger, is put into a luted glass tube, long and wide enough to contain

about 4lbs. troy. When this is made moderately red-hot, a current of oxygenous gas is past over it by squeezing a bladder which is filled with that gas, and tied over one of the cool ends of the tube. If an empty bladder is tied over the opposite end, that portion of the gas which does not combine with the barytes passes into it, and by compressing this in its turn, the current is passed and repassed till the whole is combined, which is done with extreme facility. When the tube is cooled, the contents are to be taken out. These are now a greyish white PEROXIDE OF BARIUM, and must be kept in an accurately closed bottle.

III. The peroxide of barium thus obtained, is soluble in various liquid acids—the nitric, phosphoric, and muriatic. It is first moistened with a little water, which makes it fall readily into a powder, without much increase of temperature. This powder may be added by degrees to the nitric or muriatic acid, and is by them quickly dissolved, forming liquid nitrate, or muriate, of the peroxide of barium. If the barytes is now precipitated, a liquid combination of the acid with oxygen will be obtained. Such precipitation is effected by adding sulphuric acid in the requisite quantities. Sulphate of barytes is formed, and a copious precipitate of this compound is separated, the superabundant oxygen remaining in combination with the liquid acid. After one quantity of the barytes has been thus separated from the solution by being converted into a sulphate, and one dose of oxygen has been left in combination with the acid, more of the peroxide may be added, from which the barytes may be in like manner precipitated, and an additional dose of oxygen made to combine with the acid. The operation may be several times repeated, as often at least as

seven, without the loss of any oxygen. Afterwards the impregnation with oxygen may be rendered successively stronger, by further repetitions of the process; but a little oxygen is now lost. These oxygenated acids cannot well be concentrated by heat, as heat has the effect of separating the oxygen; but they may be concentrated by evaporation under an exhausted receiver, containing quicklime, or some other hygroscopic substance, to absorb the moisture evolved by the removal of the atmospheric pressure. The oxygenated nitric acid thus obtained does not, like the nitro-muriatic acid, act on gold; but it readily dissolves those metals which simple nitric acid is capable of dissolving, and the solution takes place without the disengagement of oxygenous gas, and without the production of heat. When muriatic acid is treated in the same manner, a liquid is obtained possessed of properties wholly different from those of chlorine, the substance so long known under the name of oxy-muriatic acid. It does not, like chlorine, dissolve gold and platinum. It is very acid, colourless, and almost destitute of smell. A boiling heat converts it into oxygenous gas and muriatic acid. These experiments are considered by some chemists as settling at rest the question of the nature of chlorine, and proving it to be wholly different from a combination of muriatic acid with oxygen. M. Thenard has frequently given the acid as many as 125 volumes of oxygenous gas. The oxygenated acid dissolves zinc without effervescence, the oxygen in combination with the acid being taken up by the metal to form an oxyd, in preference to the oxygen of the water, which, with the simple liquid muriatic acid, takes place, occasioning an effervescence by the evolution of hydrogen gas.

The oxygenation of sulphuric acid is not obtained with equal simplicity. When that acid is brought into contact with the peroxide of barium, it forms sulphate of barytes by combining with the barytes, which is the protoxide of barium, and the surplus of oxygen is disengaged in the gaseous form, exactly in the same way as this acid operates on the black oxide (or peroxide) of manganese, combining with an inferior oxide of that metal, and setting oxygenous gas at liberty. In order to effect the oxygenation of the sulphuric acid, we first procure an oxygenated muriatic acid, which should be kept in a glass surrounded with ice. We must also be provided with a solution of sulphate of silver. This solution is to be added drop by drop to the oxygenated muriatic acid. (It is absolutely necessary that the sulphate should not contain any uncombined oxide of silver.) An instant decomposition takes place. The muriatic acid quits the liquid state and the oxygen to combine with the oxide of silver; thus producing that very insoluble salt, the muriate of silver. In the meantime, the sulphuric acid being disengaged, becomes liquid, and combines with the oxygen which the muriatic acid had quitted, and we thus have oxygenated sulphuric acid. This, which is turbid while the sulphate is adding, becomes limpid the moment that the whole of the muriatic acid is combined with oxide of silver. It is equally important, on the other hand, that no excess of sulphate of silver should be added beyond what is required to engage the muriatic acid. Alternate trials must be made with the tests of nitrate of silver on the one hand, and muriatic acid on the other, on single drops taken from the whole liquid, till the point of saturation is exactly hit; the liquid is then to be filtered, the filter itself pressed through cloth, and the

turbid drops which it yields passed through paper, and added to the rest. We have now a liquid composed solely of OXYGEN WATER, AND SULPHURIC ACID.

IV. From the liquid compound now mentioned we have to separate the sulphuric acid, and then we shall have oxygenated water. For this purpose we treat it with an aqueous solution of barytes, *i. e.* barytic water. The barytes and the sulphuric acid are now precipitated in mutual combination, and THE OXYGEN REMAINS IN UNION WITH THE WATER. Another plan, and one which renders the oxygenation of the water less dilute in the first instance, is to put the liquid in a glass mortar surrounded by ice, to rub into it gradually a little caustic barytes, previously slacked and ground to powder, till the sulphuric acid is nearly precipitated, (which is known by the liquid hardly reddening litmus,) then filter the liquid, and complete the separation of the sulphuric acid by adding a few drops of barytic water.

It is expedient at first to have a slight excess of barytes in the liquid, that any trace of iron or manganese which may have escaped the former operations may now be separated, after which a few drops of very dilute sulphuric acid will remove the excess of barytes; and the operator should so manage as rather to leave a slight excess of acid than of base, as the acid tends to fix the oxygen, but the base to disengage it.

By a repetition of the process now described, on the same quantity of liquid, the proportion of oxygen may be increased. But in order to concentrate this curious substance more powerfully, another process is required—that of evaporation, under an exhausted receiver, containing a hygrometric substance, such as a vessel of strong sulphuric acid or powdered muriate of lime, according

to the experiment of Professor Leslie. (See our former volume, p. 262.) In this situation a part of the water is evaporated, while none of the oxygen is disengaged. This is a fact which we should not have anticipated, knowing that the oxygen is easily separated by heat. It shews that the oxygen is not kept in its state of condensation, in any degree, by the pressure of the atmosphere. A low temperature, however, has a great influence on the stability of the compound. By keeping the oxygenated water a sufficient length of time under such a receiver—for example two days—the liquid remaining will sometimes contain two hundred and fifty times its volume of oxygen. After the concentration has been carried to a certain pitch, part of the oxygen separates in bubbles, which burst with difficulty. The separation of a part of the oxygen, when it takes place, will be ascertained by the rising of the mercury in the mercurial gage of the air-pump. An earlier disengagement of it is sometimes occasioned by the presence of foreign matter, and is stopped by adding two or three drops of very weak sulphuric acid.

The highest point of concentration to which the author has brought the liquid is that of containing 475 times its volume of gas, at a medium temperature and pressure. The proportion is ascertained by introducing a portion of it previously diluted into a tube inverted over mercury, and passing up a little oxide of manganese diffused in water. The whole oxygen is immediately disengaged, and on comparing its volume with that of the compound before it was diluted, we calculate the proportion expressive of its strength.

Oxygenated water is heavier than pure water; it sinks in it like sulphuric acid, and has the same sluggish consistence. The property which

some of the metallic oxides possess of separating the oxygen is curious.—When these are added to it, the oxygen flies off with a sudden explosion: and, what is more, the oxygen of the oxide itself is liberated along with it, and the metal is reduced to a state of purity. Another singular fact is, that even the pure metal, when thrown into oxygenated water, effects a separation of the oxygen. In order to account for such an agency in a substance which does not enter, in the meantime, into any new chemical state, M. Thenard sagaciously suggests that the agency of the metal must be of an electrical nature. On this point, room is left for farther research.

A question has been raised, whether in the liquid oxygenated acids the oxygen is in union with the acids, or merely with the water? If the latter, the force of the argument already stated with regard to chlorine will be weakened, because the new compound, so different from chlorine, will come to be viewed not as an oxygenated muriatic acid, but muriatic acid in combination with oxygenated water. As an argument for supposing that the oxygen is really in union with the acid, it has been observed that simple water does not retain the oxygen so powerfully as the liquid acids do. But the force of this fact is diminished by another which has been discovered, viz. that various other impregnations, such as sugar and gum, also impart to water the property of retaining the combined oxygen with greater power.

Oxygenated water has been represented as possessed of a property capable of being turned to good practical account, viz. that of removing the dark colour induced on white lead by sulphureted hydrogen, which in many cases spoils the effect of old

paintings, and the oxygenated water does not in general injure those other colours with which the white lead is in contact on the canvas. It is said, however, that the same property is possessed also by chlorine, a substance much more easily procured.

#### CONSTITUTION AND ANALYSIS OF MINERAL WATERS.

Chemistry, in some of the improvements which it has recently undergone, has acquired a more complicated aspect than it previously wore, but in others it has been much simplified. In both cases, the science is extended, and its foundations fixed in a more satisfactory manner. The composition of mineral waters has always been an object of great interest to the chemist as well as to the physician. This has been manifested by the laborious manipulations which have been employed in the analysis. These have been multiplied by the difficulty of the subject, and they have in general tended to display in the end an uncertainty which appeared to be inseparable from it. In the midst of much doubt and disappointment, it is pleasing to find a ray of light thrown on their composition, which tends in one respect to simplify our views and to bridge our labours, by shewing us at what point an uncertainty commences which no labour is adequate to remove.

Dr Murray's analysis of the mineral waters of Dunblane has led him to these improved views, which are unfolded in the 7th and 8th volumes of the Transactions of the Royal Society of Edinburgh at full length, in three Memoirs, entitled, "An Analysis of the Mineral Waters of Dunblane;"—"An Analysis of Sea-Wa-

ter ;"—and " A general Formula for the Analysis of Mineral Waters ;" all of them containing important information, both on general principles and on the details of manipulation. It is only a statement of the improved principles and general modes thus introduced that we can propose now to give, which will be most advantageously done in the order in which they are laid down, and in which they seem to have occurred to this chemist.

The water of Dunblane shewed, in the usual preliminary trials, that it consisted of neutral salts, composed of sulphuric and muriatic acids, lime, a minute portion of iron, and probably soda, though the presence of this last ingredient is less easily substantiated by trials of that preliminary kind. Muricates of soda and lime, with a smaller portion of a sulphate, were presumed to be the neutral salts by which it was impregnated ; and the usual method of ascertaining the individual salts, by evaporation and crystallization, was resorted to.—When an English pint was evaporated, 47 grains of a solid residue were left. This, when dried and then exposed, deliquesced from the presence of the muriate of lime, the muriate of soda remaining crystallized. These ingredients were more completely separated by means of alcohol, which dissolved the muriate of lime, and left the muriate of soda in the state of crystals; and, though such separation was not perfect in the first instance, it was completed by means of a repetition of the processes of solution and crystallization. The quantity of the muriate of lime was not only ascertained by driving off the alcohol which dissolved it, and weighing the solid matter that was left, but by determining the quantity of sulphuric acid required to decompose that salt, and

neutralize the base. From the quantity of sulphate of lime formed, that of the muriate of lime was calculated on the principles of chemical equivalents.—20.5 grains of sulphate of lime were obtained, leaving 16.7 of dry muriate of lime. The matter undissolved by the alcohol amounted to 28.5 grains. This matter was found to be all soluble in distilled water, except 2.4, and of this .5 were found to be carbonate of lime, and nearly .2 sulphate ; but, from the quantity of sulphuric acid found by testing with a barytic salt, there were altogether 2.9 of sulphate of lime, provided the whole of that acid which was present existed in a state of combination with lime. He confirmed the accuracy of the results, by executing an analysis by a different method, which gave in a pint of the water,

Muriate of soda	21 grains.
Muriate of lime	18
Sulphate of lime	3.5
Carbonate of lime	0.5
Oxide of iron	0.17
	<hr/> 45.17

This water has a purgative quality, which must arise from its impregnation ; yet the muriate of lime is not known to possess that power, and muriate of soda only in a very slight degree. This was an exemplification of a well-established general fact, that the powers of mineral waters are often much greater than can be anticipated from the nature and quantity of their ingredients ; and that the action of saline substances is increased, and considerably modified, when they are in a state of great dilution.

This paper contains also an analysis of the water of Pitcaithly, affording the following results, as the ingredients of an English pint.

Muriate of soda	13.4 grains.
Muriate of lime	19.5
Sulphate of lime	0.9
Carbonate of lime	0.5

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 34.3

With a slight trace of iron.

Atmospheric air	0.5 Cubic Inch.
Carbonic acid gas	1 Ditto.

The observations which the author makes on the general question,—in what state do all the saline ingredients exist in a mineral water?—are of great importance. The different acids and bases may either be supposed to exist in a state of simultaneous combination, the whole acids being neutralized by the whole bases; or, as forming a mixture of different neutral salts. The latter opinion is embraced by him as the most probable of the two: Yet he conceives that the neutral salts, existing in the water, may not be the same with those which are evolved by the process of evaporation of crystallization, because the state of combination is liable to be modified by the analytic operations themselves. For example, when muriate of soda, muriate of lime, and sulphate of lime, were obtained in the quantities which we have stated from the Dunblane water, it is possible that the sulphate of lime may have been a product of the operation, and not an original ingredient. The sulphuric acid may exist rather in the state of sulphate of soda, and when, in the progress of the evaporation, the liquor becomes concentrated, this salt may act on a portion of the muriate of lime, and by mutual decomposition form corresponding portions of muriate of soda and sulphate of lime.

This is not a question of mere speculation, but may sometimes throw light on the properties of mineral waters. For example, in the present instance, sulphate of lime is a sub-

stance apparently inert in its relation to the living system. If it exist, therefore, as such in the water, it can contribute nothing to its efficacy. But in the other state of combination which is supposed, both the quantity of muriate of lime, the active ingredient, will be greater, and the presence of sulphate of soda will in part account much better for the purgative operation which the water exerts. The question does not admit of being determined by direct experiment, as we know not when a neutral salt is merely separated from a solvent, and when it is formed in the operation. Nor does its separation by alcohol afford an unambiguous demonstration, as the alcohol may operate by acting on the water, and diminishing its solvent power by withdrawing it from the dissolved substance; thus leaving room for the force of cohesion to act in determining the combination of those ingredients which form the least soluble compound. One presumptive fact, however, was evolved by the author's experiments. He added to different portions of the water (four ounces each) 5, 10, 15, 20, and 30 grains of sulphate of soda. In the greater number of those proportions, the quantity of sulphate of soda was more than sufficient to convert the whole muriate of lime in the water to sulphate; and, according to the known solubility of this salt, the quantity of water was not sufficient to retain it all dissolved. Another result which he obtained was, that when he added a small portion of sulphate of soda, the quantity of sulphate of lime obtained was increased. When ten grains of the crystallized sulphate of soda are added to a pint of the water, four grains, or double the quantity of sulphate of lime are obtained; proving that both muriate of soda and sulphate of lime are liable to be formed in the progress of the



evaporation. Though the conclusion is not thus absolutely established, that the sulphuric acid exists in this water in the state of sulphate of soda, it is greatly favoured by it, and is on the whole the most probable opinion. If it be admitted, the statement of the ingredients and their proportions must be altered; the sulphate of lime must be omitted; the sulphate of soda, though it cannot by any method be separated in that form, may have its quantity inferred from that of the sulphate of lime, which is formed by its acting on the muriate of lime. The sulphates of lime and of soda being nearly the same in weight, the quantity found of the one may nearly be substituted for that of the other, as inferred to be present, and the whole proportions will be :

Muriate of soda,	. . .	21 grains
Muriate of lime,	. . .	20.8
Sulphate of soda,	. . .	3.7
Carbonate of lime,	. . .	0.5
Oxide of iron,	. . .	0.17.

46.17

The accuracy of this statement was confirmed by next adding such a proportion of the sulphate of soda as was adequate to convert the whole muriate of lime into sulphate.—He added to a pint of the water 24 grains of sulphate of soda, and obtained 21.8 grains of precipitated sulphate of lime. By various subordinate manipulations, the author obtained a perfect degree of accuracy. For these, and the minute calculations founded on them, we must refer to his Memoir.

He applies the conclusions which he draws to all those mineral waters in which sulphate of lime is mentioned by chemists as an ingredient along with muriate of lime and muriate of soda. In almost all of them, where sulphate of lime is an ingredient, muriate of soda is also present.—But the

principal interest of this view arises from its relation to the question, whether chemical analysis is capable of discovering the sources of the medicinal virtues of mineral waters?—which some have been disposed to decide in the negative, from the fact that analysis, in some instances, detects no ingredients of adequate activity to the effects which these waters are found to produce on the system. It has been always found difficult to account for the virtues of the celebrated Bath water, the ingredients obtained from it possessing little activity, and the principal ones none at all. An English pint of it contains, along with a slight impregnation of carbonic acid, nine grains of sulphate of lime, three grains of muriate of soda, three grains of sulphate of soda, eight-tenths of a grain of carbonate of lime, one-fifth of a grain of silica, and one-twentieth of a grain of oxide of iron.—From these no medicinal operation of any importance could be expected: they are either altogether inert, or in quantities so extremely minute as to be incapable of producing any sensible effect in the dose in which the water is taken. Yet their virtues are established by sufficient practical evidence, and also their injurious effects when certain precautions in the use of them are neglected. To account for these, however, various hypotheses have been proposed.—It has been maintained that substances given in small doses, in a state of great dilution, may, from this dilution, produce more effect on the general system than the quantity given would lead us to expect. It is also supposed, that the temperature of the water may have some influence, particularly by favouring the action of the iron. Something has been ascribed to the nitrogen gas rising through the water, or the siliceous earth, of which one pint contains a grain. All this is unsatisfactory. It is not easy

to believe that a sixtieth of a grain of iron, however much favoured by the circumstances now mentioned, can produce any important medicinal effect; and the reasoning applied to the other ingredients, instead of removing the difficulty, rather places it in a clearer light. But the view which Dr Murray has advanced, enables us to assign to the Bath water a much more active chemical composition, and to ascribe its power to a substance of known activity,—MURIATE OF LIME. The principal products of its analysis are sulphate of lime, muriate of soda, and sulphate of soda. The proportion of sulphate of lime is such, that part of it must pre-exist in the water; but part of it we are to consider as the product of the analysis: the muriate of soda is entirely so; and the quantity of sulphate of soda existing in the water, is larger than that afforded by the analysis. Muriate of lime, sulphate of soda, and sulphate of lime, are its ingredients; and during the evaporation, the muriate of lime being acted on by a portion of the sulphate of soda, muriate of soda and a corresponding portion of sulphate of lime are formed. The latest, and probably the most accurate, analysis of the Bath water, that of Mr Phillips, gives the following view of its composition:

In an English pint

Carbonic acid, . . .	1.2 inches.
Sulphate of lime, . .	9 grains.
Muriate of soda, . .	3.3
Sulphate of soda, . .	1.5
Carbonate of lime, . .	0.8
Silex, . . . . .	0.2
Oxide of iron, . . .	$\frac{1}{88}$ grain.

. But considering the composition according to the preceding view, the ingredients and their proportions will be:

Carbonic acid, . . .	1.2 inches.
Sulphate of lime . .	5.2 grains.

Muriate of lime, . .	3.1
Sulphate of soda, . .	5.5
Carbonate of lime, . .	0.8
Silex, . . . . .	0.2
Oxide of iron, . . .	$\frac{1}{88}$ grain.

The peculiarities in the composition of the Bath water, compared with the greater number of saline mineral waters, is, that it contains a larger quantity of sulphate of soda than is necessary to convert its muriate of lime into sulphate of lime. Hence no muriate of lime is obtained after evaporation in its analysis; hence even a portion of sulphate of soda is indicated; and hence the larger proportion of sulphate of lime which that analysis yields. In the Dunblane and Piteathly waters, the sulphate of soda is deficient. The muriate of lime is in large quantity, and is accompanied with muriate of soda. Hence in their analysis no sulphate of soda appears, and only a small quantity of sulphate of lime, but a large proportion of muriate of lime.

Muriate of lime is a substance of great activity in its operation on the living system. Quantities of it which are not very large prove fatal to animals. Six grains of it are, according to the view now given, contained in a quart of the Bath water. This is not far from the medium dose of this salt, and equal to one half of the largest dose that can be given in a regular course without producing irritation; and this, aided by the state of great dilution favouring its more extensive application within the body and its reception into the blood by absorption, together with the elevated temperature of this mineral water, will give us a far better explanation of its well known efficacy than any hitherto advanced.

The Cheltenham water affords, by analysis, sulphate of magnesia, sulphate of lime, muriate of soda, muriate of magnesia, carbonate of mag-

nesia, and oxide of iron. It is most probable that this water also, previous to evaporation, contains muriate of lime, which is acted on by the sulphate of soda during the analysis. Probably the carbonate naturally in the water is carbonate of soda, which, re-acting on sulphate or muriate of magnesia, produces carbonate of magnesia and sulphate or muriate of soda. It is much more probable, from the known insolubility of carbonate of magnesia, that it is produced in this way, than that it should exist in a state of solution in so large a quantity as that which is afforded by the evaporation.

The water of Harrowgate yields muriate of soda as its chief ingredient, iron joined with muriate of magnesia, muriate of lime, sulphate of magnesia, carbonate of magnesia, and carbonate of lime. The two last substances most probably are not original ingredients, but formed during the analysis by the action of carbonate of soda, existing in the water, on portions of its muriate of magnesia and muriate of lime, whence also the muriate of soda is increased.

The valuable foreign mineral waters of Spa, Pyrmont, and Seltzer, called the alkaline carbonated waters, are largely impregnated with carbonic acid gas, and containing a considerable quantity of carbonate of soda, with which are associated carbonate of magnesia, carbonate of lime, and muriate of soda. The real ingredients of these waters are most probably carbonate of soda, muriate of magnesia, and muriate of lime; and the carbonate of soda existing in larger proportion than that indicated by the analysis, acts during the evaporation of the water on the muriates of magnesia and lime, and forms the carbonates of these earths, together with some muriate of soda.

According to Bergman's analysis,

the Seltzer water contains in an English pint :

Carbonic acid gas, . . .	17 cubic inches.
Carbonate of lime, . . .	3 grains.
Carbonate of magnesia, . .	5
Carbonate of soda, . . .	4
Muriate of soda, . . .	17.5

According to Dr Murray's view, the composition will be :

Carbonic acid gas, . . .	17 cubic inches.
Muriate of lime, . . .	3.3 grains.
Muriate of magnesia, . .	5
Muriate of soda, . . .	7.8
Carbonate of soda, dry, (equivalent to 18 crys- tallized,) . . .	10.3

This accords much better both with its sensible qualities and its medicinal powers. Its strongly alkaline taste, when the excess of carbonic acid has escaped, is scarcely accounted for by three grains of carbonate of soda, but very well by 18. It has a high reputation as an antacid and diuretic, also in dyspeptic cases, diseases of the urinary organs, and general debility; all of which powers are explained in a much more satisfactory manner by this new view of their composition. Dr Murray has succeeded in shewing that the statements hitherto given of the composition of mineral waters have proceeded on rash principles. The existence of the same neutral salts in solution which analysis evolves in the crystallized form, is at least questionable, and we may almost say disproved. This chemist still adheres to the idea that they consist of binary neutral salts; but he thinks that the most soluble, and consequently those which are the least apt to be evolved by evaporation, are the real ingredients.—It might, however, be maintained that all the primary ingredients of the compound salts obtained by analysis, that is, the acids and neutralizable bases, exist in simultaneous combination in

the water. This would afford a far better explanation of their active powers than the composition usually assigned to them. They might still be viewed as very active solutions; they might be considered as equally powerful with the most soluble and the most active salts which they are capable of forming by binary combinations. It is not altogether impossible that their simultaneous combination might even confer additional powers. Probably most chemists will incline to adopt this view of the subject. Dr Murray rejects it, because, if fairly followed out, it would lead to the conclusion that all combinations of compound bodies are simultaneous combinations of the primary elements—a conclusion from which no inference with regard to specific qualities could be drawn, and which would, therefore, be inconsistent with the conclusions which, in many cases, we are able actually to form. It is probable that most other chemists will see less weight in this objection, and will be disposed at least to acknowledge that the exact relations subsisting between the primary ingredients of a complicated compound, whether in a fluid or in a solid state, lie probably for ever beyond the reach of actual determination. This consideration itself prepares us to acknowledge with less mystery or reluctance, the existence of any powers in mineral waters to which experience lends its countenance, and, where the facts are in conformity to the presence of such a state of combination as can be at all assigned to the simple ingredients, we can be at no loss to say that all the powers which such a state implies are explained as the result of the composition; and, in addition to this, we may conceive other accumulated chemical agencies to be at the same time concerned in the operation.

The labours of this chemist in the "Analysis of Sea Water," are too ex-

tensive to admit of any abstract in this place. It is sufficient to remark the advantage imparted to the results by the application of the methods of reasoning which he had adopted with regard to mineral waters. He is in this way enabled to reconcile with one another the analyses given by his predecessors, sometimes at variance. For example, he accounts for the singularity which appeared in that of Lavoisier, who obtained from it portions of sulphate of soda and muriate of lime, ingredients found by no one else. Dr Murray, in repeating with exactness the process of Lavoisier, as well as those of other chemists, found that the difference of result depended on the process employed. The alcohol employed by Lavoisier favoured the formation of the crystals which he obtained.

The separation of the different salts by crystallization is tedious and difficult, and seldom perfect in the end; and, as this laborious mode of procedure gives us no information regarding the mode of existence of acids, alkalis, and earths, in a mixed chemical solution, he proposes that we should, in all such cases, satisfy ourselves with determining the acids and salifiable bases and their respective proportions, by means of reagents which have the power of precipitating them. He found in a pint of the sea water which he employed,

Lime . . . . .	2.9 grains.
Magnesia . . . . .	14.8
Soda . . . . .	96.3
Sulphuric acid . . . .	14.4
Muriatic acid . . . . .	97.7
	<hr/>
	226.1

These he supposes to exist in the following state of combination:—

Muriate of soda . . . .	159.3 grains
Ditto of magnesia . . . .	35.5
Ditto of lime . . . . .	5.7
Sulphate of soda . . . . .	26.6
	<hr/>
	226.1

Following up these improved views, he lays down, in his third Memoir, "A formula of general application for the analysis of mineral waters." He adheres exclusively to that method which has been usually called the indirect, which consists in discovering the acids and bases, without deciding anything regarding their mode and order of combination; while the direct method consisted in the obtaining of separate crystallized or precipitated salts, and solutions containing only one salt each. This last had been considered as giving not merely the ingredients, from which an opinion or conjecture might be formed regarding their constitution, but as declaring that constitution in the first instance. The author, however, having shewn that no direct information of this kind is afforded by such analysis, proposes that it should be relinquished as far less satisfactory than the indirect method. In this last, we have it in our power to ascertain the proportions of the constituent parts with much greater accuracy; and having done this, we infer the composition by reasoning on such principles as have been now explained. These principles, if they do not afford absolute certainty, will preserve us from the errors of precipitate deduction which have been hitherto acquiesced in, and enlarge our views of this class of objects. The salts usually found are carbonates, sulphates, and muriates—of lime, of magnesia, and of soda. After trying, in a general way, what acids and bases are present, using nitrate of barytes for ascertaining the presence of sulphuric and carbonic acids, and nitrate of silver for muriatic acid; ascertaining the presence or absence of lime by oxalic acid, of magnesia by lime water or ammonia, and of any alkaline neutral salt by evaporation; he directs a series of steps for ascertaining the proportions of the respective prin-

ciples. These do not admit of abridgment; and, therefore, we must satisfy ourselves with a reference to the author's Memoir, not doubting that it will be quickly copied from the Transactions, into works more extensively circulated among persons interested both in general and in practical chemistry. In the course of it some acute remarks, in the form of improvements, suggested by the author's practice in manipulation, and substantiated by his own experience, are interspersed, and the whole business of analysis is likely to derive from them a material degree of accuracy, as well as simplification. It is important farther to remark, that they are shewn by the author to admit of an easy extension to the analysis of earthy minerals.

IMPRESSIONS OF COLD TRANSMITTED  
FROM THE HIGHER ATMOSPHERE,  
AND THE NEW METEOROLOGICAL  
INSTRUMENT CALLED THE ÆTHRÍO-  
SCOPE.

Some very important experiments were made, a few years ago, with great labour and care by Dr Wells of London, on the temperature of different parts of the surface of the ground, as influenced by the nature of that surface itself. These are detailed in his Essay on Dew, containing one of the most meritorious series of purely experimental investigations that modern times have produced in the department of meteorology, and beautifully elucidating some new and interesting applications of the chemical doctrines of heat. From these it appears, that the same sorts of surface which give out heat most powerfully by radiation, and which receive most readily the heat which is radiated from other bodies, those surfaces also which radiate cold most readily, (all which qualities uniform-

ly co-exist in the same proportion, in any surface, shewing that they depend on the same superficial constitution), are also liable to the greatest reduction of temperature when exposed in the night to a clear and dry atmosphere. For this reason, dew and hoarfrost are more copiously deposited on these surfaces than on others. The reduced temperature makes the portions of the atmosphere which come successively in contact with the surface deposit their humidity. It is well known to chemists that in this separation caloric is given out; hence, in some experiments formerly made by Mr Patrick Wilson of Glasgow, which were read to the Royal Society of London in 1788, and others, which are contained in the Transactions of the Royal Society of Edinburgh, vol. 1st, it appeared an inexplicable circumstance that, where dew or hoarfrost had been deposited, the temperature was particularly low. This is now fully explained. The low state of the temperature is prior to the deposition, and the cause of it; and though that deposition raises the temperature in proportion to its own amount, it does not necessarily raise it to that of the air and others surrounding objects. This cold is in itself independent of the presence of moisture, and the dew produced is in proportion to the reduction of temperature, and the impregnation of the air with moisture. The experiments were made by placing a number of thermometers on the ground; some on gravel, others among grass, and others on smooth stone, or on metals; and it was found that, when the sky was overcast even in a slight degree, all the thermometers stood about the same degree of temperature; but that when the sky was perfectly clear, a great difference took place,—those in contact with the most radiating surface always indicating the lowest temperature. The cold is occasioned by

THE RADIATION OF CALORIC FROM A SURFACE OF THIS KIND TO THE UPPER REGIONS OF THE ATMOSPHERE, or to regions altogether beyond its limits. The upper regions, in fact, operate in the same manner with the bottle of snow which, in the experiments of Pictet and others, radiates cold on surrounding bodies.

Professor Leslie has taken up the subject in a more discriminating and accurate manner, reducing the estimate of such effects to measure and calculation. The results of his inquiries, and a description of the ingenious and beautiful instrument with which he operated, were given in a paper read before the Royal Society of Edinburgh in March last. Mr Leslie's opinions on the radiation of heat have been long before the public, and in this paper they are repeated and illustrated. He considers this class of phenomena as depending on the presence of the air. They do not, according to him, consist in the simple transmission of caloric through space, but in certain appulses among the particles of the air, which proceed on all sides in radiations like sound, or like the rippling waves on the surface of a liquid, which proceed from the disturbed point, producing circles which become wider as the effect of the impression is extended. It is in their propagation through air that these effects are best, (and we may say exclusively) known to us. It is not easy to ascertain the reality of the diffusion of such powers through a perfect vacuum; but it is in favour of Mr Leslie's views, that these are propagated more powerfully through a dense than through a very rarefied atmosphere. Mr Leslie objects to the term radiation. He considers the effects produced as a series of internal oscillations, by which the aerial medium successfully transfers its charges of caloric, and delivers an im-

pression at the end of the chain of communication of the same kind precisely as it had received at the beginning. Mr Leslie tried the difference between the surface of the ground and the atmosphere a few inches above it, by means of the differential thermometer. He found, that in sunshine and calm weather the ground was sometimes 30 millesimal degrees warmer than the air only a few inches above it. But when the sky happened to be much overclouded, or when strong winds swept over the surface, the accumulation of heat hardly reached three degrees. Fresh ploughed land, or a surface spread over with hay, indicated more than twice the effect that appeared on fine pasture.

Mr Leslie, in the course of these experiments, found that, towards evening, if the sky was clear, the thermometer on the ground indicated a greater cold than in the atmosphere, (unless it was protected by a polished metal, or a substance which reflected the rays of heat,) although the ground itself was still warmer than the air. This led him to suspect, that an opposite impression was by some means communicated from the atmosphere at these times, and he was induced to investigate this set of influences. For this purpose he introduced, under the sentient ball of his pyroscope, (that is, that ball of the differential thermometer which remained without a metallic covering, while the other had one, and which consequently was most readily operated on by those impressions of temperature proceeding from distant bodies which are called radiations)—under this he introduced a small circular plate of tin hammered into a slight concavity. This more than doubled the action of the instrument, and, therefore, put the existence of these impressions beyond all doubt. The radiations

which reached the concave metallic surface were reflected so as to accumulate the effect on the ball placed in a focal situation. After some varied experiments suggested by this fact, with a view to the more accurate determination of the laws observed by these impressions, as indicated by the variations of their amount under different circumstances, he contrived a set of very ingenious and useful instruments, by means of which some further facts were made known. He exposed a pyroscope in the focus of a paraboloid to the influence of the sky at different times, and to different quarters of the sky at the same time. It was necessary to guard against the disturbing influence of wind. This was first done by putting his pyroscope with the small reflector within a deep pitcher by which the lateral impulses of the wind were intercepted; and afterwards, instead of this arrangement, he made the reflector sufficiently deep to answer that purpose of itself. The form which he adopted was that of a truncated oblong spheroid of metal, cut through the upper focus by a plane perpendicular to the axis, finely polished on its inner surface, so as to reflect the impressions of cold or heat, and having the sentient ball of the pyroscope placed in the lower focus. This instrument indicated most fully the action of that quarter of the heavens to which it was turned. He therefore had an instrument which was mounted on a pivot, so as to be conveniently turned to any portion of the heavens which it was his object to explore. This instrument, when covered with a thin plate of glass, often shewed one or two millesimal degrees of heat, the effect of the radiation of the light of the sky. It was when this screen was removed, and the reflecting surface and sentient ball exposed to the sky, without any intermedium except

the ambient air itself, that frigorific impressions were communicated. When the sky was in its most serene state, frigorific impressions of 40 or 50 millesimal degrees were indicated from every part of the hemisphere. Those proceeding from the zenith, and those from the surrounding parts, were exactly equal. It was thus ascertained that the action of a given section, or angular portion of the sky, is the same at every obliquity. Dr Wells had found, that the appearance of the least cloud or thickness in the atmosphere nearly destroyed the effect of cold radiation, and produced an approach to equality of temperature in the thermometers placed in contact with different sorts of surfaces. Mr Leslie's delicate apparatus shewed with greater precision that the effect was not entirely destroyed, but continued in a greater or smaller degree according to certain definite circumstances. With the erect spheroid, he found in cloudy weather, that the frigorific impression diminished in proportion as the humid mass floating in the atmosphere seemed to descend. When the sky was canopied with high fleecy clouds, the effect on the instrument might amount to 20 degrees; but when the vapours sank so low as to hover on the hilly tracts, the impression did frequently not exceed five. The effect, therefore, evidently depends on the altitude of the lowest range of clouds, and seems to result from the difference of temperature which prevails there, compared with that of the surface of the earth, or other situations in which the apparatus is placed. The same conclusion was drawn from another set of observations. In a calm day, when a mass of dark clouds was spread at no great elevation above the surface of the ground, the spheroidal apparatus indicated only five millesimal degrees in a vertical position, and still

marked the same quantity when depressed to an angle of 30 degrees above the horizon. But had this impression of five degrees penetrated directly through the clouds from the higher regions of the atmosphere, the oblique passage presenting a diameter so much greater, would have scarcely allowed one half of a degree to escape through the mass. The fact proved that the clouds acted as a perfect screen, absorbing or extinguishing all the hot or cold pulses which it received from above, and then acted in its turn downward, communicating pulses of its own as an independent radiating body. Clouds consist merely of dispersed aqueous globules, and their influence is illustrated by that of water in the fluid state. Mr Leslie inclosed a pyroscope in an inverted spheroidal cup, and suspended it a few feet above the ground, while the sky appeared clear and blue. He then passed a silver tray under it, which received the impressions from the sky, and by reflection transmitted them to the inverted instrument. The cold thus reflected, amounted to 25 degrees; but on pouring a sheet of water over the silver tray, the effect was absolutely and immediately extinguished. For conducting such meteorological observations, Mr Leslie has constructed an instrument on a fixed scale, not only in its thermometrical degrees, but also in the extent of reflecting surface, as proportioned to the surface of the sentient ball. This beautiful instrument will be found a valuable accession, not only to meteorology, but to physical science in general. He has termed it the *Æthrioscope*, from the Greek term *æther*, which, in reference to the atmosphere, signifies at once "clear, dry, and cold." The sensibility of this instrument is very striking; the liquor instantly falls and rises in the stem with every passing cloud. Some



of its variations are not quite accounted for; as of two days of equal apparent clearness for example, it will indicate 50 on the one day, and 80 on the other. The action is greatest in general under a clear and translucent atmosphere. But particular winds blowing at different altitudes seem to modify the effect.

Mr Leslie then proceeds to investigate more closely the causes of these phenomena. It occurred to him, that since pulses (which others call radiations) are darted from such various surfaces, and since the softness of the external coat and its humidity seemed vastly to augment their power, it was possible that they might be likewise excited from a boundary of air itself; that the air probably thus acted in two capacities in these phenomena; that is, both as an intermedium for transmitting pulsations which it has received from a body differing from itself in temperature, and giving out radiations of its own, depending entirely on its particular temperature. The fact was ascertained by the following simple experiment: In a room where a steady fire was kept up, the æthrioscope was set on the inside of the window, and directed to the upper part of the opposite wall; the instrument stood at zero, because the temperature by which it was surrounded, and that of the places at a distance to which it was directed, were nearly the same. The window was then thrown open, and the instrument was surrounded by a body of cold air, in consequence of which a motion in the fluid took place, indicating an impression of heat, evidently caused by the excess of temperature of the remote air of the room above that which was now contiguous to the æthrioscope. The same thing is shown by the different indications of an æthrioscope, according as it is placed on the floor of a

heated room and directed to the ceiling, or placed near the ceiling and directed downward to the floor; the upper strata of air being the warmest. The instrument placed on the floor and directed upward, shews an impression of warmth, but when placed in the upper part and directed downward, it shews an impression of cold. If the actions excited in the air of a room are made thus apparent, much more is to be expected from the diversified condition of the different strata of so vast a body as the atmosphere. Taking it to the height of two miles, including scarcely one-third of the whole, the difference between the temperature of its extreme boundaries will amount to 26 degrees of the centesimal scale, or 36 of Fahrenheit. But the order is the reverse of what takes place in a close room, the air of the upper regions being invariably colder than that which is nearer to the surface of the earth.

As the higher strata of the atmosphere thus radiate cold downwards, so the lower strata must radiate heat upwards. To measure these would require the æthrioscope to be inverted, and furnished with a pendent differential thermometer. The instrument in this form carried to the top of a lofty mountain, and directed to the plain below, would indicate a considerable impression of heat, nearly proportional to the quantity of ascent. Perhaps on the summit of Chimborazo, it might amount to twenty millesimal degrees; and in the same situation the upright æthrioscope might be expected to mark an impression of cold from above, just so much diminished. If this last did not happen, it might be considered as giving countenance to the idea, that the giving out of caloric by radiation from bodies exposed to the heavens, consists in the simple escape of caloric into regions alto-

gether beyond the boundaries of the atmosphere. No opportunity, however, has yet occurred on a large scale, for making these interesting observations. The ascent of a balloon would afford the readiest mode of verifying and extending the theories suggested by the general aspect of the facts.

The inverted æthrioscope likewise discovers the quality and measure of the radiations (or pulses, as Mr Leslie denominates them) which are projected from the ground. These, as measured within short distances in the air, are very feeble, seldom in this climate exceeding three or four degrees. In the progress of a bright day, as the ground grows warmer than the air, it excites hot pulses: but, as the sun declines, the effect gradually diminishes; till this again returns, increasing with a contrary character, when the surface of the earth has become relatively colder.

Another effect we may also expect to find, depending on the situation in which this instrument is placed in a clear night, when the ground becomes cooled by radiation, that the æthrioscope will shew the most powerful impressions of cold when held a little way from the ground, and that, when it is placed on the surface, it will indicate the most powerful impressions, when placed on a portion of the surface which is the least radiating, and consequently the least cooled, because here the bulb, which is not sentient, will participate less than in another situation in any cooling effect communicated by the conducting quality of the surface, so that the difference between the two bulbs of the differential thermometer will be the greater, and these differences are the degrees which that instrument, in the form of the æthrioscope, is fitted to indicate.

We cannot entertain a doubt, that

this instrument, employed by scientific persons in different parts of the globe, will contribute to throw much new light on the laws of temperature, as regulating the phenomena of the different regions of the atmosphere, and we may even hope that, as it becomes afterwards improved, it may open scenes altogether new in the interesting but intricate and difficult science of meteorology.

#### ASTRONOMICAL OBSERVATIONS MADE FOR DETERMINING THE FIGURE OF THE EARTH.

The improvements made in astronomical observation, in consequence of the high perfection to which astronomical instruments have arrived, has gradually led, and still leads to the solution of important scientific problems, which at no distant period appeared to be beyond the limits of human power. The coincidence of various favourable circumstances contributes to give daily accessions to the knowledge which the world possesses of the laws of nature, among which, none of the least is the co-operation of scientific men embodied in regular societies, by which extensive communications are maintained, and the task of investigating nature so subdivided as to admit of being prosecuted with undeviating closeness and deliberation in each of its parts, by numerous individuals. Armed with all these advantages, some enlightened men have been lately employed in imparting to different subjects in astronomy, a precision which they had not previously attained. It is our duty to notice the exertions which have been made in the last year, 1818, by M. Biot, of Paris, to measure an arc of the meridian, of which he himself has published a short but very interesting

account. The determination of the size and figure of the earth,—the measurement of gravity at its surface, the connexion of these phenomena with the interior construction of the globe, with the disposition of the strata, and the laws of their densities, are to be numbered among these long enduring questions which learned societies alone could propose to encounter and resolve. The first exact measurement of a degree of the terrestrial meridian was made in France by Picard in 1760. Newton availed himself of it in order to establish the law of universal gravity. Two years after this, Richer, who was employed by the Academy of Sciences, on a mission to Cayenne, for purposes of astronomical research, discovered that his clock, which at Paris beat the seconds gradually, went more slowly as he approached the equator, and that it again went quicker by the same gradation in returning towards the north, so as to resume exactly its original motion at the point of his departure. This was known to arise from the different intensity of the action of gravity in these different parts of the earth's surface; for they had just discovered that the quickness of the oscillation of a pendulum augments or diminishes with the force of gravity which causes its motion. The observation of Richer thus proved that the intensity was different in different latitudes, increasing in going from the equator to the pole. Newton, in his *Principia*, connected all these results with the law of attraction. He shewed that the variation observed in gravity, disclosed a flattening of the earth at the pole, a circumstance which is observable also in the form of Jupiter, Saturn, and the other planets which turn on an axis. He attributed this flattened form to the uniform attraction of the portions

of every planet, combined with the centrifugal force of its rotatory motion. He took them as in a fluid state, and shewed how to calculate the flattening of a planet of a homogeneous mass, according to the intensity of the gravity at its surface, and the quickness of its rotation. This theorem as applied to the earth gave a variation of gravity but little differing from that observed by Richer, though somewhat slighter, shewing that the strata of the earth became denser as we penetrate from the surface to the centre, a doctrine since demonstrated by Clairault. More extensive measurements, however, were thought requisite. An accession of accuracy was expected to be obtained from the measurement of the complete arc which traverses France from Perpignan to Dunkirk, a measurement intended at the time to serve as a sort of axis to a general map of France, with the execution of which Colbert had intrusted the Academy. But in the imperfect state of the instruments and astronomical methods of that period, the arc itself was too short to make the influence of the flattening distinctly perceptible; and the small variations in the lengths of the degrees being easily lost in the errors of the observations, the differences which were found were in such a direction as would have led to the inference of an elongation, instead of a flattening at the poles. The Academy perceived that the question could not be clearly decided, without measuring two arcs of the meridian, near the equator, and near the poles, from which greater differences might be brought out. In 1735, Bouguer, Godino, and La Condamine, went to America, where they joined the Spanish commissioners. Some months after, Clairault, Maupertuis, and La Mounier, departed for the north.

The results of these expeditions put the flattening of the earth beyond a doubt, but did not fix its absolute amount. The degree of Peru, compared with that of France, gave a slighter flattening than if the earth were homogeneous: the operation of Lapland indicated a greater. In this uncertainty, the lengths of the pendulum, which they were careful to measure, agreed with the flattening deduced from the operation of the equator; but the exactness of these measurements, especially in the operation of Lapland, was not such as could enable them to solve the difficulty. The proceedings of the best observers could not be more accurate than they were; but the instruments then constructed laboured under imperfections.

After an interval of fifty years, astronomical instruments having become more perfect, and the methods of observation more precise, the Academy resumed these great operations with all the means which could insure their success. In order to give them greater importance, it was resolved to take the very size of the earth as thus determined for the fundamental element of a system of general, and uniform measures. The organization of the Academy was deranged, while its name was discontinued, during the stormy part of the French Revolution. But in the midst of the political confusion, Messrs de Lambre and Méchain, furnished with new instruments which Borda had invented for them, began and continued, often at the risk of their lives, the most extended and exact measurement of the earth which had ever been undertaken. Although they had many difficulties to encounter, they concluded it as well as they could have done in the bosom of the most profound peace. The measurement of the pendulum was also

attended to. Borda invented for this experiment a method surpassing in exactness every thing previously suggested, and never since exceeded.

It was afterwards thought that the arc of the meridian might be continued a good many degrees to the south across Catalonia, and even prolonged to the Balearic Isles, by means of a very large triangle the sides of which should join these isles to the coast of Valencia. Méchain having surveyed and measured the first triangles, died in a small town of Valencia, and Messrs Biot and Arago were charged with the completion of the work, along with the commissioners of the King of Spain. They happily succeeded, though Arago was subsequently exposed to danger and detained in captivity for some time before his return to France. The results confirmed those of the arc of France. They also measured at their most remote station, the length of the seconds pendulum, after the method of Borda, Biot, and Mathieu, and repeated the same operation on different points of the arc comprised between Perpignan and Dunkirk. These observations gave for the flattening of the earth a value almost equal to that which M. de Lambre had already obtained, by comparing the arc of France and Spain with the degrees of the equator, calculated with fresh pains; also with the degree of Lapland, which Mr Swanberg, an able Swedish astronomer, had corrected by new observations, and finally, with an arc of many degrees which Major Lambert had measured with great accuracy in India.

Verified by these combined coincidences, the arc of France and Spain acquired a farther claim to become the foundation of a standard of measures. These operations acquired

additional importance, by being joined to the British triangulations. This series of operations, begun by General Roy, and continued after him by Colonel Mudge, was prolonged from the south of England to the north of Scotland, and in that extent presented many degrees of the meridian, measured with excellent instruments. But England, being a little to the west of the French arc, there was ground to fear lest all the terrestrial meridians not being exactly alike, the difference of longitude would affect the results obtained from the junction. The measurements of the pendulum, however, were much less liable to be disturbed by any slight irregularities of the figure of the earth.—The Board of Longitude was desirous that the same apparatus which had served for these measurements in France and Spain should be employed over the whole extent of the English arc. The cordial co-operation of the scientific characters in Britain, and the countenance of the government, were of course given to this great operation. Sir Joseph Banks and Sir Charles Blagden, having assured the French board of all possible facilities in this country, M. Laine, the minister of the interior, furnished the means for this enterprise, and the Board of Longitude entrusted M. Biot with the execution of it.

The circumstances of the visit paid by this eminent man, on an occasion so conspicuous in the annals of science, cannot fail to interest every intelligent person in those parts of England, Scotland, and Shetland, which were honoured with his presence. The handsome and delicate manner in which M. Biot relates the particulars of his journey, forces us to cherish with the greater pleasure the feelings of reverence due to his character, and awaken a personal af-

fection, which in the most pleasing manner mingles itself with these general sentiments.

M. Biot left Paris in the beginning of May, 1817, carrying with him the same apparatus which he had used on the other points of the meridian,—a repeating circle, by M. Fontin, an astronomical clock, and chronometers, by M. Breguet, and every thing else that the observations required. By the interest of Sir Joseph Banks, the baggage was landed at Dover, and carefully brought to London, free from duty, and, what is of greater importance, from all that vexatious inspection which is, in ordinary cases, attached to the present system for collecting the revenue; and which is most especially chilling, when the implements of science are subjected to it. When he came to Edinburgh, Colonel Mudge, and Colonel Elphinstone, commandant of the military engineers, afforded him every assistance possible. He went along with Colonel Mudge to the battery of Leith, where his first station was fixed. For erecting his circle, he constructed on the terrace of the Fort a portable observatory, which, being easily taken to pieces at pleasure, enabled him to make observations on all sides of the horizon. That the apparatus of the pendulum might be fixed with solidity, stones of great weight were fixed in thick walls with iron chains. At this period, M. Biot wisely determined not to indulge in the interesting observations which were continually suggested by every surrounding object, in a country which he had never before visited, till he had finished the minute labours in which his duties had engaged him, on the subject of weights, lengths, and measures. Having finished his observations at Leith, his next object was to repeat them in the Orkneys, the extreme limit of the English arc.

Colonel Mudge perceived that it was possible to connect the Orkneys with the Shetland Isles, by triangles, whose apices should rest on the intermediate rocks of Faira and Fowla. This plan extended the new arc two degrees to the north. It had still another important advantage, that of carrying the English line of operations two degrees towards the east, almost upon the meridian of Formentera, M. Biot's last southern station on the Mediterranean. By this happy extension of the plan, the English operation became a prolongation of the French one,—the two together forming an arc almost equal to the fourth-part of the distance from the pole to the equator. This arc, M. Biot proposes as the most beautiful and sure element that could be adopted, for the base of a common system of measures among the different nations of Europe. Colonel Mudge's health not permitting him to give his personal assistance in these further operations, his place was supplied by Captain Mudge, his son. The apparatus, observatory, iron chains, and large stones, were all embarked, with the instruments of the English operation, in the Investigator brig of war, for Aberdeen. From hence they set sail for Shetland, on the 9th July. After leaving the Orkneys on the 6th day, and passing the Isle of Faira, which recalled that important event in British history, the fate of the Spanish Armada, the admiral of which was wrecked on its rocks, they came to anchor off the peaks of Shetland on the 12th of July, and at last landed on the rocky shore,—where he could not be impressed with the contrast which its bare and desolate aspect afforded with the recollection of the scenes of former operations, the climate, and classic soil of the Kingdom of Valencia. As soon as they came to Lerwick, however, the

hospitable and obliging conduct of the inhabitants dissipated the feeling of banishment which the physical aspect of the country tended to create. All the comforts which the country could afford, and all the assistance which the inhabitants were capable of administering towards the completion of the scientific object, were instantly at their service. Dr Edmonstone (who is mentioned as having studied at Paris), gave them his best counsel. They had intended originally to establish themselves at Lerwick, and to avail themselves of Fort-Charlotte, as affording a very favourable situation for the apparatus; but they were now attracted by the advantages of the little Isle of Unst, the most northerly of the Archipelago, as extending the arc about half a degree to the north, and lying also a little more easterly,—and, consequently, nearer to the meridian of Formentera. Here they were hospitably received into the house of Mr Edmonstone, to whom they brought an introduction from his brother. A large sheep-house, with thick walls, not being occupied during summer, had the honour to receive the apparatus of the pendulum. The portable observatory, together with the repeating circle, were established in Mr Edmonstone's garden. It was not without much labour, that they succeeded in landing the large stones, and dragging them to their place of destination. It required all the efforts of the brig's crew, animated by the perseverance of the officers. On the 2d of August they were in a condition to commence their astronomical observations; and on the 10th, the first experiment was made with the pendulum. By the 17th, they had eight of these experiments, and 270 observations of the latitude. M. Biot was now certain of the success of the experiment. Nothing was

required but time and perseverance. Captain Mudge, however, beginning to suffer in his health from the climate, embraced an opportunity of returning to the south, by a whaler which passed on her return from Spitzbergen. But native resources for the assistance of the philosopher were soon discovered in this place. As the working of the repeating circle required two persons, the one to follow the star, and the other to mark the indications of the level, Mr Edmonstone suggested the employment of a young carpenter, who could not only write and cypher very well (these qualifications being here matters of course,) but had given proofs of particular intelligence and address in setting up the observatory. M. Biot, simplifying his task as much as possible, gave him some lessons previously to the departure of Captain Mudge. This person performed his part with the greatest fidelity. "On no account whatever," says M. Biot, "even to satisfy my impatience to observe, would he admit my results to be good, before they were strictly within the condition which I had prescribed to him, that is, before the bubble of the level was in a state of perfect immobility." He soon learned to acquit himself in a manner completely satisfactory. Yet M. Biot had, among the numbers which the carpenter wrote, certain relations which would have shewn him, his errors, if he had committed any. This sometimes happened in the commencement; and the carpenter was always much surprised at his being able to detect and correct a mistake which he had not seen made. But, at the end of three days, he became sufficiently expert to make no more errors. In the course of two months, M. Biot, with these means at his disposal, succeeded in collecting 38 series of the pendulum,

each of five or six hours,—1400 observations of the latitude, in 55 series, made both on the south and north of the zenith,—and about 1200 observations of the absolute heights of the sun and stars, to regulate the going of his clock. His exertions were almost exclusively confined to the labour of observing. He did not, in this place, calculate more than three or four observations, at great intervals from each other, in order to assure himself of their general rate, and guide him in the continuation of them, delaying the final calculation till his return to Paris. At the time of writing his Narrative, he had devoted much time to the calculations, but had not quite finished them; yet the agreement of those observations the calculations of which were completed, shewed the accuracy which may be expected from them. The results which are deduced from them, being combined with those of Formentera of the arc of France, give, for the flattening of the earth, exactly the same value which is deduced from the theory of the moon, and the measurement of the degrees compared at great distances. This perfect agreement between determinations so different shews at once the certainty of the result, and the sure method which science employs to obtain it. It is not without trouble that this point of precision has been reached. The variation of the length of the pendulum, by which the flattening is measured, is in all, from the equator to the pole, only four millimetres, that is, less than the fifth-part of an inch, and from Formentera to the Isle of France, one millimetre and a half, or less than three-fortieths of an inch. It is thus, three-fortieths of an inch, however, which, appreciated as can now be done, exhibit and measure, even with great accuracy, the flattening of the whole terrestrial spheroid, and prove

to us, that, notwithstanding slight accidents of composition and arrangement which the exterior surface on which we move presents to us, the interior of the mass of our planet is composed of strata perfectly regular, and subjected to the laws of superposition, density, and form, which would have been assigned to them by a primitive state of fluidity.

After relating these labours, M. Biot makes some remarks on the scenes which passed in review before him on this occasion. He does not write like a pedantic, dry, mathematical philosopher, exclusively attached to his particular department, but like a citizen of the world, who was interested in remarking the leading features of the society into which he was thus casually introduced. His gratitude for the attentions which were paid to him, and his high respect for the scientific zeal of our learned men, and the honourable promptness of our government in the estimable cause, are expressed without exception, and without those notices of imperfections, by which inferior minds delight to display their good taste, without looking forward to the noxious influence of such remarks in generating, on the one hand, feelings of paltry triumph, and, on the other, those of wounded self-love. Exceptions to the general success of our intended good usage, must, in the nature of things, have occurred. M. Biot, we understand, was brought from Shetland to Edinburgh in a heavy equinoctial gale, which accomplished the voyage in 50 hours. For the gale no set of human beings is accountable, but the vessel was poor,

and to an extreme degree the reverse of comfortable. This we could have wished to be otherwise, though we hear nothing of it from himself. But we speak it *entre nous*.—It is a remark which the politeness of our continental neighbours will never permit them to translate into a foreign language. The strain of acute observation which M. Biot employs in explaining the happiness of the Shetlanders, makes us, in a few words, more intimately acquainted than we previously were with the character and state of these secluded neighbours.—No observation occurs on the state of inns of this country, on the qualities of the tea, the coffee, or the wines, set before him. Had he been obliged, on any occasion, to satisfy the cravings of nature with oatmeal porridge, we perceive that no fastidious or envious exclamations on the pretended coarseness of our favourite burgon would have escaped him. No graphic delineations of the individuals whom he met in Edinburgh are permitted to fall from his pen, for the gratification of vulgar curiosity; but he, in one or two interesting strokes, characterizes those leading features of society, which embrace all ranks, and terminate in the broad concerns of humanity. At the close of his trip, he returns exultingly into the bosom of his native France, affording a happy specimen of the comfortable fact—that people in general love their own country better than any other, and can never love it the less for looking with a benignant eye on the most exotic scenes of human society.



## CHAP. IV.

VIEW OF GEOGRAPHICAL DISCOVERIES, AND OBSERVATIONS  
OF TRAVELLERS, DURING THE YEAR.

*Travels in North America, with a view to emigration.—Birkbeck, Fearon, Bradbury, Palmer, Hall.—The Eastern States.—Passage of the Alleghany.—Western States.—Canada.—Expeditions to the North.—Captain Ross's Voyage round Baffin's Bay.—Morier's Second Journey in Persia.—Oxley's Expedition into the interior of New South Wales.*

THE direction of the national curiosity during this year was chiefly given by that distress and want which had been, and in some degree continued to be, deeply felt throughout Europe. The stagnation of all branches of industry, the multitude of people who had been thrown out of the occupations afforded by war, produced a large surplus population, some part of which could scarcely obtain a bare subsistence; while others could no longer enjoy those comforts and accommodations which habit had rendered necessary. At the same time, the great vicissitudes of the world had inspired a love of change and adventure, which made men not unwilling to seek a more auspicious lot, even in the rudest and most distant climates. In this situation the great western world opened, as it were, its arms to receive them. The American United States, though they still offered com-

paratively high wages and cheap subsistence, could no longer be considered as an unoccupied country. But beyond their boundary chain of the Alleghany, a passage had been recently opened, into that almost endless plain, which reaches westward across the continent; a tract comprising perhaps the greatest extent of fertile land, watered by the most magnificent rivers, any where to be found in the globe,—but which, till lately, comprehended only

— realms immense, and blooming wilds  
And fruitful deserts—worlds of solitude,  
Where the sun shone, and seasons teem'd in  
vain,  
Unseen and unenjoy'd,

but which was now fast covering with populousness and European art. This seat of a future mighty empire drew a continued train of adventurers from the eastern and already settled parts of the United States; it attracted, at

the same time, the eyes of the needy and aspiring adventurers of the old world. Not only was it said to offer subsistence to the unemployed labourer; but a sum of money, which would be scarcely sufficient to stock an English farm, might there purchase an estate equal to those possessed by some of the greatest nobles of Europe. Mr Birkbeck was the first whose publication filled the nation with golden hopes; but as party enters into every thing in this political country, so in proportion as the friends of liberty and the admirers of America extolled his reports, others represented them as originating in restless discontent and visionary expectations. Amid these doubts, a body of British citizens, severely straitened by the pressure of the times, and who felt a longing after these immense estates, to be obtained almost without purchase, formed the resolution of deputing one of their number to survey these vast western meadows, and report as to the expediency of a colony being transported thither. Mr Henry Bradshaw Fearon undertook this mission, and, on his return, communicated a narrative in some respects controverting that of Mr Birkbeck, and which has generally been received as a very fair and candid statement. Messrs Bradbury, Palmer, and Hall, produced also very interesting accounts of the observations made by them, so that, on the whole, the materials afforded for judging upon the subject, might now be considered as tolerably ample.

In presenting a general summary of the information thus obtained, we shall begin with the old or Eastern States. New York is beyond doubt the first commercial city in America; it is also considered as that in which society is carried to the greatest perfection, and indeed the virtual capital, though Washington is the seat of government. Mr Fearon states its population

at 120,000, Mr Hall at only 100,000; both agree that building is going on very rapidly; and Mr Hall understood that 2000 houses were contracted for at the time he was there. Mr Fearon gives the following view of the prospects in respect of business: "The capitalist may manage to obtain 7 per cent with good security. The lawyer and the doctor will not succeed. An orthodox minister would do so. By the way, the worn-out, exposed impostor Frey, who said he was converted from Judaism to Christianity, has been attracting large audiences in New York. The proficient in the fine arts will find little encouragement. The literary man must starve. The tutors' posts are pre-occupied. The shopkeeper may do as well, but not better than in London—unless he be a man of superior talent and large capital: for such requisites, I think, there is a fine opening. The farmer (Mr Cobbett says) must labour hard, and be but scantily remunerated. The clerk and shopman will get but little more than their board and lodging. Mechanics, whose trades are of the *first necessity*, will do well: those not such, or who understand *only* the cotton, linen, woollen, glass, earthenware, silk and stocking manufactories, cannot obtain employment. The labouring man will do well; particularly if he have a wife and children, who are capable of contributing, not merely to the consuming, but to the earning also of the common stock." Here we may form a judgment of the greatest height to which literature has been carried on this side of the Atlantic. "Booksellers' shops are extensive. Old works are scarce. Standard works are not so; by these I mean such as Shakspeare, Milton, Blair, and Johnson. Theological works (those only which are *orthodox*) are common, and I should suppose much in request. Hartley, Priestley, and the religious

writings of Locke, are scarce; I may say unknown. English novels and poetry are the primary articles of a bookseller's business. They are quickly reprinted. An instance of dispatch in this line occurred, a fortnight since at Philadelphia. "Manfred" was received, printed, and published all in one day. Walter Scott, Miss Owen-son, Moore, Miss Edgeworth, Miss Porter, and Lord Byron, are favourites. The late Scotch novels have been very much read. The 'Edinburgh' and 'Quarterly Reviews' are reprinted by Messrs Kirk and Mercien of this city. *English Tory writers* are neither unknown nor unpopular. Booksellers deal in stationary and various fancy articles. Their stocks are large, but, what we should say in London, ill assorted. Mr Eat-bourne's is the only house which contains old English works. His general stock is valuable and extensive. American editions of many British writings are *lower* in price, but *not cheaper* than those issuing from the London press; the size, as well as quality of paper being reduced. Folio is diminished to quarto, quarto to octavo, and octavo to duodecimo. The American edition, for instance, of 'Lalla Rookh,' which I have sent you, bears no comparison to that of Messrs Longman and Co. Common stationary is of American manufacture: the superior, of British. Books pay upon importation 30 per cent; printing types, 20; paper, 30; waters, 50; playing cards, 30. Native binding is generally plain and common: many of the fine London pocket editions, bound, have been recently imported. A capital of from 1000*l.* to 10,000*l.* would be required in this business." "The theatre," according to Mr Fea-ron, "is about the size of the Royal Circus, and as well fitted up as the second-rate London theatres. The prices are, Boxes, 4*s.* 6*d.* Pit 3*s.* 4½*d.* Gal-

lery, 2*s.* 3*d.* I went to the pit, concluding that, with an allowance for the difference of country, it would resemble the same department in an English establishment; but found it consisted of none in dress, manners, appearance, or habits, above the order of our Irish bricklayers;—a strong fact this to prove the good payment of labour. Here were men that, if in London, could hardly buy a pint of porter—and should they ever think of seeing a play, must take up their abode among the gods in the upper gallery: yet, in America, they can pay three-quarters of a dollar—free from care, and without feeling, on the following morning, that they must compensate, by deprivation or extraordinary labour, for their extravagance. Many wore their hats, and several stood up during the performance: there did not seem to be any power which could prevent either practice. The boxes were respectably filled; the female part of the audience made considerable display. Between the acts gentlemen withdrew: indeed at this period the house, in every part, was deserted, except by the ladies. The cause of this practice is to indulge in the fatal habit of rum-drinking. A part of the gallery is allotted for negroes, they not being admitted into any other part of the house. Women never go to the pit. The entertainments were, 'Laugh when you can,' and 'The Broken Sword': both performed very respectably. The dresses, scenery, and decorations, were superior to what I had expected to find them." Against this we may set Mr Hall's much less favourable account. "It is a shabby building without, and poorly lighted and decorated within. The play was, Columbus, a wretched hash of different plays and stories, miserably acted. The audience, like that of a Portsmouth theatre, consisted almost entirely of men,—I saw nothing resem-

bling a lady in the house, and but few females." House-rent seems high, and provisions only a little cheaper than in England. Although slavery does not exist to nearly the same extent as in the southern states, yet negroes are publicly bought and sold, and coloured men are viewed with the most scandalous prejudice. Mr F. says, "Soon after landing I called at a hair-dresser's in Broadway, nearly opposite the city-hall: the man in the shop was a negro. He had nearly finished with me when a black man, very respectably dressed, came into the shop and sat down. The barber inquired if he wanted the proprietor, or his boss, as he termed him, who was also a black: the answer was in the negative; but that he wished to have his hair cut. My man turned upon his heel, and with the greatest contempt, muttered in a tone of proud importance, 'We do not cut coloured men here, sir.' The poor fellow walked out without replying, exhibiting in his countenance confusion, humiliation, and mortification." On inquiring the reason, the barber gave information as follows: "I reckon you do not know that my boss would not have a single ugly or clever gentleman come to his store, if he cut coloured men; now my boss, I guess, ordered me to turn out every coloured man from the store right away, and if I did not he would send me off slick; for the slimmest gentleman in York would not come to his store if coloured men were let in; but you know all that, sir, I guess, without my telling you; you are an elegant gentleman too, sir." At the dinner-table I commenced a relation of this occurrence to three American gentlemen, one of whom was a doctor, the others were in the law; they were men of education and of liberal opinions. When I arrived at the point of the black being turned out, they exclaimed, 'Ay, right, per-

fectly right, I would never go to a barber's where a coloured man was cut.'

Mr Fearon made an excursion to Long Island, with the view of visiting Mr Cobbett: "My feelings, in walking along the path which led to the residence of this celebrated man, are difficult to describe. The idea of a person self-banished, leading an isolated life in a foreign land—a path rarely trod, fences in ruins, the gate broken, a house mouldering to decay, added to much awkwardness of feeling on my part, calling upon an entire stranger, produced in my mind feelings of thoughtfulness and melancholy." He was well received, and gives the following result of his visit: "Mr C. thinks meanly of the American people, but spoke highly of the economy of their government. He does not advise persons in respectable circumstances to emigrate, even in the present state of England. In his opinion, a family who can but barely live upon their property, will more consult their happiness by not removing to the United States. He almost laughs at Mr Birkbeck's settling in the Western country. This being the first time I had seen this well-known character, I viewed him with no ordinary degree of interest. A print by Bartolozzi, executed in 1801, conveys a correct outline of his person. His eyes are small, and pleasantly good-natured. To the French gentleman he was attentive; with his sons familiar; to his servants easy; but to all, in his tone and manner, resolute and determined. He feels no hesitation in praising himself, and evidently believes that he is eventually destined to be the Atlas of the British nation. His facility of relating anecdotes is amusing.—Instances when we meet.

"My impressions of Mr Cobbett are, that those who know him would like

him, if they can be content to submit unconditionally to his dictation. 'Obey me, and I will treat you kindly; if you do not, I will trample on you,' seemed visible in every word and feature. He appears to feel, 'in its fullest force, the sentiment,

'I have no brother, am like no brother,  
I am myself alone.'"

Boston has a population of 40,000, but is not increasing, as it wants a fertile country behind. It is the headquarters of federalism in politics, and unitarianism in religion. There are greater distinctions of rank here than in the other cities, and society, on the whole, is more polished than in New York. Attendance on public worship is regular, and great outward decorum of behaviour is observed, though the state of morals has been said not materially to differ from that in other large towns.

Philadelphia, the rival of New York, contains also about 120,000 inhabitants; but house-rents are about 25 per cent lower. Mr F. says, "My first impressions of this city were decidedly favourable: it gave me ideas of a substantial cast. In the possession of a character essentially different from New York—it has not so much business, not so much gaiety, nor so much life; but there is in Philadelphia a freedom from mere display; a relief from gaudy trappings, an evidence of solidity, of which its more commercial rival is nearly destitute. The streets are clean, well and regularly built. First-rate private houses are numerous, as are also public buildings; but their architecture is not of the highest order. The foot-paths are impeded by an injudicious mode of constructing cellars, by which they project into the street; and also by a very slovenly practice of the store-keepers, which is common in America, namely, placing quantities of loose

goods outside of their doors." His observations on the society, however, are not favourable. "I perceived here what—unpleasant as may be the discovery, I think I have observed elsewhere,—and worse still, what I fear pervades this new world, an affectation of splendour, or what may be called *style*, in those things which are intended to meet the public eye; with a lamentable want even of cleanliness in such matters as are removed from that ordeal. To this may be added, an appearance of uncomfortable extravagance, and an ignorance of that kind of order and neatness which constitute, in the sight of those who have once enjoyed it, the principal charm of domestic life. I should rejoice to find myself in an error in this judgment; but all I have seen myself, and all I have collected from the observation of others most competent to form a correct opinion, tend to its confirmation.

"Last evening I drank tea at a genteel private house.—The furniture was splendid, the table profusely supplied, being loaded with fish, dried beef and sausages; the bread and butter was roughly cut in huge hunks piled zig-zag. The children's faces were dirty, their hair uncombed, their dispositions evidently untaught, and all the members of the family, from the boy of six years of age, up to the owner (I was going to say master) of the house, appeared *independent* of each other. I have seen the same characteristics in other families—in some indeed decidedly the contrary; but these latter would seem to be the exceptions, and the former the general rule." Philadelphia, during Mr Fearon's stay, was violently agitated by the election of a governor, which is made by the general suffrage of the people. The following is a specimen of the compliments which pass between the parties on such an occasion.

"WILLIAM FINDLAY—1. A selfish politician, who never served his country, and always on the look-out for office. 2. An apostate federalist and time server. 3. A constant office hunter. 4. A treasury broker and public defaulter, who exchanged and used public money for his own benefit. 5. One who holds morality in contempt, and maintains and practises the maxim, that the end justifies the means. 6. One who has resorted to the basest falsehoods to support himself. 7. One who intrigued and bargained for the office, and openly electioneered for himself. 8. A state inquisitor, who would gag, if not immolate every man, not of his own sect. 9. A man who has blended the public money with his own, and is yet to account for misdemeanor in office. 10. A barbarian, who holds that 'the study of the law disqualifies a man from being a judge.'"

Take notice who are the friends of WILLIAM FINDLAY,—1. Traitors and apostates. 2. Inveterate aristocrats. 3. Office holders and office hunters. 4. Cormorants for the leaves and fishes, and friends only to themselves. 5. Fugitives from British gables and justice."—There is a great deal of drinking and betting at these elections, but not any riot or serious commotion. The wages of a common labourer are 4s. 6d. to 5s. 7½d. per day, those of skilled trades proportionally higher. The academy of fine arts, and the penitentiary are praised. The prejudice against people of colour appears as strong as at New York. "There exists a penal law, deeply written in the minds of the whole white population, which subjects their coloured fellow-citizens to unconditional contumely and never-ceasing insult. No respectability, however unquestionable,—no property, however large,—no character, however unblemished, will gain a man, whose body is (in American estimation) *curst* with even a twen-

tieth portion of the blood of his African ancestry, admission into society!"

As to general manners, Mr. F. says, "To classify the population of this city I should only have to repeat what I have communicated concerning other parts of the union. There is, of course, here no rank of society correspondent to the peerage, or the '*haut-ton*,' in England; but there are many who keep carriages, have truly elegant houses, and superb furniture. These are called of the "first class;" and although they have not the pomp or the titles, they have the pride of an aristocracy. The small and middling tradesmen do not make much exertion, live easily, save no money, and appear to care nothing about either the present or future. If they find business getting bad, they do, what is called, 'sell out,' and pack up for the 'back country.' The labourer and mechanic are independent, not in purse, but in condition. Neither they nor their masters conceive that any obligation is conferred by employing them. They live well, and may always have a dollar in their pockets. Men are here independent of each other; this will shew itself even in half an hour's walk through the streets of Philadelphia."

Mr Palmer gives the following view of the rural economy in the neighbourhood of this city: "The farm-houses are almost all of stone, and very substantial, with good barns and barracks to preserve their grain; the barracks have a moveable roof, supported on posts, in which holes are bored and the roof raised and lowered at pleasure. We called at several houses; every thing, though homely, indicated ease and plenty. The chairs and tables were plainly made, the windows, which are numerous, all sashes (I never saw a casement in the United States) the best room displayed a list carpet of home manufacture, (very few have a-

gared carpets,} the fire-places were all on the hearth, with hand-irons to support the wood ; in the best room some have an iron fire-place (on the hearth plan) called a Franklin ; these look very neat, and will much sooner heat a room than the open fire-place.

" Farms in the neighbourhood seldom exceed 200 acres ; price of the best farms, with a good stone house and offices, 100 to 120 dollars per acre ; rent from four to eight dollars per acre. They have been dearer, but so many farmers are proceeding to the western states, that the price is reduced. The grain crops, on account of their rapid growth, are seldom choked with weeds."

" Sheep are not kept but in small flocks ; there are no large flocks with regular bred shepherds, as in England or Spain. Pigs are plenty, and of a pretty good sort, worth ten or eleven dollars per cwt. Raising poultry for the city market is a universal practice. Taxes of all sorts on farms in Philadelphia county not more than one penny in the pound sterling."

Washington, though politically the capital of the United States, contains, by the census of 1810, only 8208 inhabitants. It was rather in a declining state, till within these few years, when it has begun to increase, and property to rise in value. " The Capitol, in which are both houses of the legislature, and several public offices, stands on a bank of the Potomac, seventy feet above the level of that river : it as yet consists of but two wings, intended to be connected by a centre, surmounted by a dome. The architect is Mr Latrobe : In the internal construction of this building, he has not evinced even a common knowledge of what contributes to convenience, and still less to elegance of appearance. The apartments are small, crowded, and without unity of design : the exterior, when completed, will,

however, produce a really grand effect. Some of the pillars are of a native marble, of a peculiarly novel and beautiful description, bearing some resemblance to the finest specimens of mosaic." The library was destroyed during the British expedition, and consists now only of 3000 volumes, but is select and well chosen. The American legislative bodies are thus described by Mr Fearon.

" My first visit to Congress (which assembles at 11 o'clock in the morning, and adjourns at 4 in the afternoon) was to the Senate. This body is at present comprised of forty members, the States having increased from their original number of thirteen to that of twenty, and each State, regardless of its population, sending two. The gallery is open to all, *without orders from members, or half a crown to the door-keeper* : the only form to be observed, is taking off the hat in obedience to a public notice to that effect. The chairman's seat is central, under a handsome canopy ; the members are placed on rich scarlet cushions, some at double, and some at single desks. There are two large fires. The room is carpeted, as is also the gallery. The forms of business are taken from those of our Parliament, with a few minor exceptions. One point of variation, at least, from the British Senate, is, that every speech is apparently listened to, and all, whether good or bad, whether marked by superior excellence or by unequalled dulness, seem regarded with equal apathy and complete lifeless endurance, neither applause nor censure being allowed ; and it would not be an easy task to discern which were felt, judging from the countenance. I have heard nearly all their usual speakers. Mr Otis, of Massachusetts, is an eloquent man, but not remarkable for solidity of reasoning. Mr Rufus King is a true gentleman, and

one whom I should conceive has not many superiors among the public men of any country. Mr Barbour, called Governor Barbour, of Virginia, is a speaker who, perhaps, violates all the rules of theoretic oratory, but who, notwithstanding, possesses an irresistible charm from his evident sincerity, and the manliness of his deportment, which, while it rivets the attention of his audience, compels them to love the object of their admiration. His countenance is one of that kind which, in a few minutes, enlists in its favour all the social affections, and you insensibly feel anxious and predisposed to take that side of the argument of which so apparently kind and able a man professes himself the advocate. A friend from Boston replied to some observations of mine concerning him, "I entirely agree with you in relation to Mr Barbour,—he is a man in whom you cannot be deceived—he carries his heart in his hand." There are, in the senate, a great proportion of men of experience, of sound ability, and who would do credit to any nation upon earth.

"The Representative Chamber is in the same building, and of about twice the extent. An admission to the gallery is equally easy, and is also open to both sexes. This assembly consists of nearly two hundred. They want in appearance the age, experience, dignity, and respectability which we associate with the idea of legislators, and which are possessed by the superior branch of the Congress. The interior decorations of this room are marked by an inferiority to the Senate, which is rather anti-republican. The members sit on very common chairs, at unpainted desks, which are placed in rows, the whole resembling a Lancastrian school, though without its regularity. Some two or three speakers regularly command attention; others talk on as long as they

please, the members being occupied in writing letters, and in reading or folding up newspapers. This is carried to such an extreme, that it appears fully to justify the charge of Mr Randolph, that 'the House of Representatives consisted only of a large collection of printers' boys.' Spitting boxes are placed at the feet of each member, and, contrary to the practice of the Upper House, at once members and visitors wear their hats."

Mr Hall's impression seems to have been more favourable. He says, "The sittings of Congress are held in a temporary building, during the repair of the Capitol: I attended them frequently, and was fortunate enough to be present at one interesting debate on a change in the mode of presidential elections: most of the principal speakers took a part in it: Messrs Gaston, Calboun, and Western, in support of it; Randolph and Grosvenor against it. The merits of the question were not immediately to be comprehended by a stranger; but their style of speaking was, in the highest degree, correct and logical, particularly that of Mr Western of New Hampshire, whose argumentative acuteness extorted a compliment from Mr Randolph himself, 'albeit unused to the complimenting mood.' Mr Grosvenor, both in action and language, might be considered a finished orator, as far as our present notions of practical oratory extend. Mr Randolph, whose political talents, or rather political success, is said to be marred by an eccentric turn of thought, which chimes in with no party, seems rather a brilliant, than a convincing speaker; his elocution is distinct and clear to shrillness, his command of language and illustration seems unlimited; but he gave me the idea of a man dealing huge blows against a shadow, and wasting his dexterity in splitting hairs: his political sentiments are singular;



he considers the government of the United States as an elective monarchy: 'Torture the constitution as you will,' said he, in the course of the debate, 'the President will elect his successor, and that will be his son, whenever he has one old enough to succeed him.' No expressions are used either of approbation or the contrary; whatever may be the opinion of the House, the most perfect attention is given to each member; nor, however long he may speak, is he ever interrupted by those indications of impatience so common in our House of Commons."

Mr Fearon does not give a very flattering view of the judicial system in America. "Some of the judges are, doubtless, men of superior legal knowledge, and high standing in society; but there are others who certainly are not in possession of the former, though they may be of the latter qualification; as, for instance, the Chief Justice of the Common Pleas at Newark, who is a butcher—not a butcher retired from business, and become a lawyer, but he attends to both trades, even on the same day, selling at 7 o'clock in the morning a leg of mutton, and at 11 supplying his customers with a slice of Blackstone. Much evil must necessarily result from this heterogeneous admixture of ignorance with learning."

"Although there may be, and doubtless are many members of the legal profession who are honourable men, yet from all I have seen, or have been able to understand, the lawyers of this country do not seem to merit a particularly high character. My impression of them is, to use an American mode of estimation, at least thirty-three and a third per cent. lower than of their brethren in England. There are various causes which may have produced this deterioration. In the first place, deep and solid research in any

occupation is neither so much wanted, so much esteemed, nor is it so 'marketable' a commodity as in Great Britain; further, the greater equality of society, which renders men more independent of each other; the non-classification of the profession of the law, which prevents either portion from being deeply studied, while the ease with which even legal gentlemen can and do alter their mode of obtaining a livelihood, naturally weakens the motives to exertion, and lessens too that strong impression of having at once a reputation, and the very means of existence at stake;—these latter causes we know to be powerfully operative in England. The vast number of lawyers also, as compared with the amount of American population, divides the business into so many channels, that when a job is obtained, no means can be afforded to be left untried to render it profitable. These causes, aided by that prolific source of chicanery, our statute book, may account for that of which Americans complain so loudly—the expense of law proceedings, and the want of principle in their professional men."

Even the freedom of voting throughout the States is repudiated as encroached upon through a system designated by the odd name of *caucus*, by which is meant secret meetings by a junta, whence almost despotic orders are issued throughout America. "Since the first choice of Mr Jefferson, the presidential elections are managed by private meetings (or *caucus*) of the democratic members of Congress, previous to elections; they settle among themselves who shall be president. This is what is called getting 'the appointment in caucus,' and an instance never occurs of the votes being in opposition to caucus. When they have determined upon who they wish to be president, they send circulars to their different States, pointing out, by

a kind of *conseil d'élire*, who they have resolved should be elected: and as the right of voting for presidents is confined to a very limited number, there is no instance of the caucus being disobeyed." The following is a deficiency which we should still less have expected: "The liberty of the press exists here to an almost unlimited extent; and yet it is not used as an organ for putting the people in possession of even domestic information. The newspapers are miserably edited, seldom containing any thing but advertisements, shipping intelligence, and English extracts. The proceedings of Congress are not systematically reported. Sometimes the substance of a debate will be given three weeks after its occurrence. The business of the State-legislatures rarely appears at all in the public journals, except in the shape of bare lists of bills passed or rejected. The transactions in courts of law, and all minor home proceedings, rarely appear upon record. These sins of omission are certainly to be lamented, as, by their existence, an interest fails to be excited in the public mind on those occurrences, and those subjects, which are, unquestionably, of first-rate importance. During the late war, it is stated, a military scheme, modelled upon the French law of conscription, was in contemplation of the then Secretary, but now President, Munroe; the chief of the naval department also recommended to Congress, a plan for the impressment of seamen, to man their infant navy; but, such is the habitual indolence of the people, and their indifference with regard to public affairs, that these events are known but by few individuals."

Baltimore is the most flourishing city in the union. Seventy years ago, it contained only ten houses, now it has from 50,000 to 60,000 inhabitants. These lay claim, seemingly with some reason, to a superior character for

hospitality, enterprise, and bravery. It is the only great American seaport which is decidedly democratic; and at the same time the slave system is carried on to the greatest extent.

We shall conclude our survey of the seaports by Mr Hall's picture of Charleston. "Streets unpaved and narrow, small wooden houses, from among which rise, in every quarter of the town, stately mansions, surrounded from top to bottom with broad verandas, and standing within little gardens full of orange-trees, palmettoes, and magnolias, are features which give Charleston an expression belonging rather to the south of Europe, than to the Teutonic cities of the north. Perhaps, taking into view its large black population and glowing temperature in January, it is not very unlike some of the cities on the Mediterranean coast of Africa. In other respects it is a noble monument of what human avarice can effect: its soil is a barren burning sand; with a river on either side, overflowing into pestilential marshes, which exhale a contagion so pernicious as to render sleeping a single night within its influence, during the summer months, an experiment of the utmost hazard. Even the town is no place of refuge during the hottest part of the season: all the inhabitants who can afford it then fly to a barren sand-bank in the harbour, called Sullivan's Island, containing one well and a few palmettoes: here they dwell in miserable wooden tenements, trembling in every storm, lest (as very frequently happens,) their hiding-places should be blown from over their heads, or deluged by an inundation of the sea.

Charleston has a great reputation for hospitality, a virtue very generally conceded to the Americans, even by those who are willing to deny them every other: in my judgment, their fame, in this respect, as much exceeds

their deserving, as in most other cases it falls below it."

Having thus taken a view of the great cities on the American coast, it is now time to trace the route of the traveller into the unoccupied regions of the Western Territory. The following general plan is sketched out by Mr Bradbury:

"For a very great portion of emigrants, the countries west of the Alleghanies, say Ohio, Indiana, Kentucky, Tennessee, or the Illinois, offer by much the best prospects; and to get to those countries, Philadelphia or Baltimore are the best ports. If the intention be to proceed to the lower part of the Ohio, Baltimore is preferable to Philadelphia, and the best way will be to go from thence to Wheeling, on the Ohio, 95 miles below Pittsburg, and the road is much less difficult. It shall be supposed that the design of the emigrant is to proceed to the countries east of the Alleghanies, in which case he ought not to stay more than two or three days in the city. When he first lands, he will find that great numbers of waggons will start from Philadelphia to Pittsburg, or from Baltimore to Pittsburg or Wheeling, every day. The charge is by the hundred weight, both for passengers and their luggage, and the rate is variable from five to seven dollars per hundred; but the men may go cheaper if they choose to walk over the mountains, which is recommended. The waggons travel with great economy; many of them carry a small camp-kettle with them, in which they cook their provisions, and some have even a bed in their waggons, in which they sleep at night. A traveller who chooses to adopt a similar mode, may travel very cheap; or, as there are plenty of inns on the roads, he can be accommodated every night with beds at a very reasonable rate. When the emigrant arrives at Pittsburg or Wheeling, he will

find that numbers of Europeans and Americans are arriving there every day, and the same causes that operated against them in the maritime cities, as respects employment, will, in some degree, have an effect here: but as he will have occasion for information, it would be advisable for him to stop a few days to make inquiries. If he find it necessary to descend the Ohio, the best mode of proceeding will be to inquire for one or more families, who have intentions of going to the same neighbourhood as himself, who may join him in the purchase of an ark, one of the kind of vessels in which families descend. These arks are built for sale, for the accommodation of families descending the river, and for the conveyance of produce. They are flat-bottomed, and square at the ends, and are all made of the same dimensions, being 50 feet in length, and 14 in breadth; which last is limited, because it often happens that they must pass over the falls at Louisville, when the river is at a low state, at which time they pass betwixt two rocks in the *Indian chute*, 15 feet asunder. These arks are covered, and are managed by a steering oar, which can be lifted out of the water. The usual price is 75 dollars for each, which will accommodate three or four families, as they carry from 25 to 30 tons; and it frequently happens that the ark can be sold for nearly what it cost, six or eight hundred miles lower down the river."

The most laborious and fatiguing part of the journey appears to be the passage over the Alleghany, of which a description is given by Mr Fearon, who saw 20 family waggons passing over it at the same time with himself. "These emigrants preferred travelling in companies, forming a sense of interest, and securing an interchange of assistance when necessary. In difficult parts of this tract their progress

was so slow as to be hardly perceivable. Ropes were attached to each side of the waggons, at which, while some were pulling, others were most unmercifully, though necessarily whipping the horses, which dragged the waggons five yards at an effort. The getting these waggons and families over the mountains appeared little less than a continuance of miracles. I was prepared to expect much, but the reality has increased my ideas of the difficulty of this emigration a thousand fold.

"The character of the mountain inhabitants appears cold, friendless, unfeeling, callous, and selfish. All the emigrants with whom I conversed complained of the enormous charges at taverns. Log-houses are the only habitations for many miles. They are formed of the trunks of trees, about 20 feet in length, and six inches in diameter, cut at the ends, and placed upon each other. The roof is framed in a similar manner. In some houses there are windows; in others the door performs a double office. The chimney is erected outside, and in a similar manner to the body of the house. Some have clay in their chimneys, which is a precaution very necessary in these western palaces. In some the space between the logs remains open; in others it is filled with clay. The hinges are generally wood. Locks are not used. In some there are two apartments; in others but one, for all the various operations of cooking, eating, sleeping, and, upon great occasions, washing. The pigs also come in for their due share of the log-residence.

"The inconveniences of travelling principally arise, not from the mere height of these mountains, but from the abundance of enormous stones and of mud holes. The scenery, however, was often very striking. At 11 o'clock, when near the summit of the

mountain, we enjoyed a most extensive view of a large and beautiful valley, which must contain tens of thousands of acres that have not yet known the hand of the cultivator. The prospect, combining some grand mountain scenery, was the most magnificent I had ever beheld. The interest of the scene was also not a little heightened by the prospect of McConnel's Ville, which we were approaching. This apparently delightful little town appeared secluded from the rest of the world, and one might have imagined it another Eden, cut off by means of woods and trackless wilds, and mountain snows, from the vices and corruptions which, in every other quarter, visit and torment mankind.

"The view from the summit of Dry Ridge even exceeds the one before described. The scenery is bolder, and marked with a character of increased magnificence. The eye takes in at one glance the various ridges called the South, the Blue, the Cove, and the more extended chain, peculiarly denominated the Alleghany. The calm serenity of the numerous valleys formed a pleasing contrast with the more stupendous works of nature with which we were so profusely surrounded. Although there is here much barren country, there is a good deal of fine fertile land. The most prevalent trees are the beech, black, red, and white oaks. Gray slate appears, thus far, to characterise these mountains."

Mr Birkbeck's account of the scene is still more lively. He says, "We have now fairly turned our backs on the old world, and find ourselves in the very stream of emigration. Old America seems to be breaking up, and moving westward. We are seldom out of sight, as we travel on this grand track towards the Ohio, of family groups, behind and before us, some with a view to a particular spot; close to a brother perhaps, or a friend, who

has gone before, and reported well of the country. Many, like ourselves, when they arrive in the wilderness, will find no lodge prepared for them.

"A small waggon (so light that you might almost carry it, yet strong enough to bear a good load of bedding, utensils and provisions, and a swarm of young citizens,—and to sustain marvellous shocks in its passage over these rocky heights) with two small horses; sometimes a cow or two comprises their all; excepting a little store of hard-earned cash for the land-office of the district, where they may obtain a title for as many acres as they possess half-dollars, being one-fourth of the purchase-money. The waggon has a tilt, or cover, made of a sheet, or perhaps a blanket. The family are seen before, behind, or within the vehicle, according to the road or weather, or perhaps the spirits of the party.

"The New-Englanders, they say, may be known by the cheerful air of the women advancing in front of the vehicle; the Jersey people by their being fixed steadily within it; whilst the Pennsylvanians creep lingering behind, as though regretting the homes they have left. A cart and single horse frequently afford the means of transfer, sometimes a horse and pack saddle. Often the back of the poor pilgrim bears all his effects; and his wife follows, naked-footed, bending under the hopes of the family.

"This is a land of plenty; and we are proceeding to a land of abundance, as is proved by the noble droves of oxen we meet, on their way from the western country to the city of Philadelphia. They are kindly, well-formed, and well-fed animals, averaging about six cwt.

"To give an idea of the internal movements of this vast hive, about 12,000 waggons passed between Baltimore and Philadelphia, in the last year, with from four to six horses,

carrying from 30 to 40 cwt. The cost of carriage is about seven dollars per cwt., from Philadelphia to Pittsburg; and the money paid for the conveyance of goods on this road, exceeds 300,000*l.* sterling. Add to these the numerous stages loaded to the utmost, and the innumerable travellers, on horseback, on foot, and in light waggons, and you have before you a scene of bustle and business extending over a space of three hundred miles which is truly wonderful.

"The taverns in the great towns east of the mountains which lay in our route, afford nothing in the least corresponding with our habits and notions of convenient accommodation: the only similarity is in the expense.

"At these places all is performed on the gregarious plan: every thing is public by day and by night;—for even night in an American inn affords no privacy. Whatever may be the number of guests, they must receive their entertainment *en masse*, and they must sleep *en masse*. Three times a day the great bell rings, and a hundred persons collect from all quarters to eat a hurried meal, composed of almost as many dishes. At breakfast you have fish, flesh, and fowl, bread of every shape and kind, butter, eggs, coffee, tea—every thing, and more than you can think of. Dinner is much like the breakfast, omitting the tea and coffee; and supper is the breakfast repeated. Soon after this meal, you assemble once more, in rooms crowded with beds, something like the wards of an hospital; where, after undressing in public, you are fortunate if you escape a partner in your bed, in addition to the myriads of bugs, which you need not hope to escape.

"But the horrors of the kitchen, from whence issue these shoals of dishes, how shall I describe, though I have witnessed them!—It is a dark and sooty hole, where the idea of cleanli-

ness never entered, swarming with negroes of all sexes and ages, who seem as though they were bred there ; without floor, except the rude stones that support a raging fire of pine logs, extending across the entire place ; which forbids your approach, and which no being but a negro could face."

Having overcome these obstacles, the traveller arrives at Pittsburg, the connecting link between Old and New America, and which, though it does not justify the boastful description of the Americans, who describe it as the western Birmingham, yet contains various manufactures for the supply of the Western Territory, the total produce of which is 1,896,896 dollars, and the number of workmen employed 1280. Its vicinity abounds in coal, and its situation at the head of the Ohio, and near that of the Chesapeake, naturally renders it the emporium of Western America. The population amounts at present to 10,000 souls.

From Pittsburg, the easiest and most expeditious mode of conveyance is to float down the Ohio ; but travellers who wish to observe the country, prefer a land-conveyance in waggons. They enter now on this vast plain, said to contain 1,500,000 square miles, 50,000 miles of internal navigation, 100,000 of river coast, with an endless intersection of rivers communicating with each other. The whole consists of one uninterrupted level, scarcely broken by the smallest hill, and, unless in the cleared spots, covered with the most magnificent forests. The trees are chiefly walnut, sycamore, and white oak, and they grow often to a magnitude, not attained by the same species in our hemisphere. Here there are lands totally unimproved still to be bought at the rate of two dollars per acre ; but from eight to thirty dollars are asked for those brought under cultivation. The water communication is every where complete, in conse-

quence of the numerous creeks emptying themselves into the great rivers. All the towns of any consequence are situated on the Ohio. Wheat sells in the markets at 8s. 4½d. per bushel ; rye, 2s. 8½d. ; Indian corn, 2s. 3d. There are large tracts called *prairies*, from five to eight miles square, in which there is not a tree or even a shrub, but covered with thick grass four feet high, on which numerous herds are fattened for the Philadelphia and Baltimore markets. "The atmosphere," says Mr Fearon, "after a hot day, causes head-aches, which frequently terminate in an intermittent fever. A man's being sick, (the term applied to every species of illness,) is as common in this country, as being in distress is in England. In regard to healthiness of situation, there is considerable variety, as the appearance of the inhabitants will in some measure indicate ; though as a general characteristic, I would say, there is a want of sound regular health, at least if our English ideas of ruddy cheeks are to be taken as a criterion. The people are of a tall, *vaulty* aspect, and seem, even during their most active occupations, to be the victims of fever and ague."

Mr Birkbeck, however, is of opinion, that this unhealthiness arises from the people fixing their habitations in low and wet situations, on account of their fertility. Probably, indeed, after the whole country is fully cleared, it may cease to be subject to these damp exhalations, under which it at present suffers. The principal town on the Ohio below Pittsburg, is Cincinnati, containing about 8000 souls, with several manufactories and well stocked shops. Two newspapers are published here, which print each 1200 in the week ; the conductors take payment, if desired, in corn, wool, tallow, or other goods.

Mr Birkbeck, in making his choice, pitched upon the Illinois territory,

the most remote of the Western States. Land was there to be had cheapest, and the tide of emigration was flowing so fast in that direction, that he confidently trusted to be soon followed by all the comforts of a peopled and civilized state. He thus describes the manner in which the American government dispose of the lands in their new possessions: "The tract of country, which is to be disposed of, is surveyed, and laid out in sections of a mile square, containing 640 acres, and these are subdivided into quarters, and, in particular situations, half-quarters. The country is also laid out in counties of about 20 miles square, and townships of six miles square in some instances, and in others eight. The townships are numbered in ranges, from north to south, and the ranges are numbered from west to east; and lastly, the sections in each township are marked numerically. All these lines are well-defined in the woods, by marks on the trees. This done at a period, of which public notice is given, the lands in question are put up to auction, excepting the sixteenth section in every township, which is reserved for the support of schools, and the maintenance of the poor. There are also sundry reserves of entire townships, as funds for the support of seminaries on a more extensive scale; and sometimes for other purposes of general interest. No government lands are sold under two dollars per acre; and I believe they are put up at this price in quarter sections, at the auction; and if there be no bidding, they pass on. The best lands and most favourable situations are sometimes run up to 10 or 12 dollars, and in some late instances much higher. The lots which remain unsold are, from that time, open to the public, at the price of two dollars per acre; one-fourth to be paid down, and the remaining three-fourths to be paid by instalments in

five years; at which time, if the payments are not completed, the lands revert to the State, and the prior advances are forfeited.

"When a purchaser has made his election of one, or any number of vacant quarters, he repairs to the land-office, pays 80 dollars, or as many times that sum as he purchases quarters, and receives a certificate, which is the basis of the complete title, which will be given him when he pays all: this he may do immediately, and receive eight per cent interest for prompt payment. The sections thus sold are marked immediately on the general plan, which is always open at the land-office to public inspection, with the letters A. P. 'advance paid.' There is a receiver and a register at each land office, who are checks on each other, and are remunerated by a percentage on the receipts."

Mr. Birkbeck afterwards gives the following statement of the capital invested in forming the establishment of himself and family upon 1440 acres in the territory of Illinois: "About 720 acres of wood-land, and 720 prairie—the latter to be chiefly grass;

	Dollars.
Second instalment, August 1818, 720 dollars; Third, August 1820, 720 dollars; Fourth, Aug. 1821, 720 dollars.....	2,160
Dwelling-house and appurtenances, Other buildings, .....	4,500 1,600
4,680 rods of fencing; i. e. 3,400 on the prairie, and 1,280 round the woodland, .....	1,170
Sundry wells, 200 dollars; gates, 100 dollars; cabins, 800 dollars, 100 head of cattle, 900 dollars; 20 sows, &c. 100 dollars; sheep, 1000 dollars, .....	500 2,000
Ploughs, waggons, &c. and sundry tools and implements, .....	270
Housekeeping until the land supply us, .....	1,000
Shepherd, one year; wages, herdsman, one year, and sundry other labourers, .....	1,000
Carry over, " " "	14,100

	Dollars.
Brought forward,	14,100
One cabinet maker, and one wheelwright, one year, making furniture and implements, 300 dollars each, .....	600
Sundry articles of furniture, ironmongery, pottery, glass, &c. ..	500
Sundries, fruit-trees, &c. ....	100
First instalment already paid, .....	720
Five horses on hand, worth .....	300
Expense of freight and carriage of linen, bedding, books, clothing, &c. &c. ....	1,000
Value of articles brought from England, .....	4,500
Voyage and journey, .....	2,000

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Dollars 23,820

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£ 5,359 Sterling.

Allow about 600 dollars  
more for seed and corn, 141

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£ 5,500

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He afterwards states, "A range of cabins I am now preparing for my family will contain ten apartments. The mere building is performed by contract for two hundred and fifty dollars; when finished they will cost about eight hundred dollars; but the doors and windows, and the floors and ceilings (both of plank), are to form a part of our future habitation.

"We have lime-stone and sand-stone suitable for building, and plenty of brick earth; thus we abound in excellent materials. Labourers may now be procured at from seventy-five cents to one dollar per day; but I presume, the number is so small, that new comers must not rely on obtaining them at that price, unless emigrants of that description accompany them.

"Household furniture is to be procured at a moderate price, and pretty well made. The woods furnish cherry and black walnut, and probably various other kinds of timber suitable for cabinet-making; and workmen of that description are not very rare. Beds

and bedding should be brought out. Kitchen furniture is found at the stores. Groceries in general have been received from your city or Baltimore; now they come from New Orleans. Coffee is about forty cents per pound; sugar, from twenty-two to fifty cents; tea, two dollars fifty cents; salt is found or made in abundance, and of good quality, in various parts of the Western country. Vast quantities of pork and beef are cured for the southern market."

He elsewhere adds, "It is extremely enlivening to perceive, from our remote station, secluded as we seem from the busy theatre of life, that we have as good a view of what is passing, and are as warmly interested in the performance, as when we were seated in a side box at the very edge of the stage. In this wild spot, I see my table strewed with newspapers, and registers, and reviews, in greater profusion than ever you saw it at Warrington. We have daily newspapers from New York and Philadelphia, at nine dollars a-year; the National Intelligencer from Washington, three times a-week, at six dollars; the weekly papers of the Western country, at two dollars; Edinburgh and American Reviews, Monthly Magazines, Cobbett's Register, and Niles's from Baltimore, &c. &c. Not a nerve is touched in the remotest corner of the Union, but it vibrates in Washington, the *sensorium* of this immense and truly living body. From this centre of feeling and intelligence, the impression is returned to the extremities with a freshness that is as astonishing as it is delightful, through the unwearied activity of an unshackled press. Thus, we have little solitude, or detachment from the great social system, to complain of in our retirement."

Mr Fearon's views are not, upon the whole, so favourable as those of Mr Birkbeck, though there does not seem



to be any thing decidedly or absolutely discouraging.

Mr Palmer extended his travels to Kentucky, the first Western colony, founded in 1775, and now containing 750,000 white, and 160,000 negro inhabitants. The following particulars are given respecting its manners and present state:—"The Kentuckians are all great politicians, and an election for a governor being about to take place, the newspapers were filled with party squibs and eloquence, the editors all taking either the federalist or democratic side. The federalists are moderate republicans, and are accused of leaning towards European politics, particularly British. The democrats are violent and unyielding republicans. The complete liberty of the press, except in case of personal libel, gives room for much squabbling, abuse of each party, and virulence; it is an evil, but restricting that powerful protector of the liberties of the people, would be incalculably greater; and I understand, as soon as an election is decided, the storm of party spirit is immediately hushed.

"As soon as you arrive at a tavern, or house of entertainment, and make known that you wish for breakfast, or dinner, or supper, a number of negro children, who are always loitering about the door, receive a nod from their master or mistress; accustomed to the signal, off they start, sometimes ten or twelve, single out a pullet, and chase it round the offices, and through the zig-zag fences, shouting and often tumbling over each other, till they continue till they tire it out, or pen and catch it; in a minute it is in a pot of boiling water, feathers and all, from whence it is speedily taken out, stripped of its feathers, opened, seasoned, grilled, or fried, with some bacon, and served up in less than half an hour. A glass is mostly set by each cup and saucer, and a large pitcher of milk

stands on the table, ready for those who wish it. Our charges were about one dollar and twenty-five cents per day, man and horse.

"In several of the houses we were at, I saw a taste for reading prevailed; I recollect, besides Bibles and newspapers, seeing in many of them the *Salmagunda*, *Olive Branch*, and *History of the late War*; three standard works; travels and political pamphlets were also common. A love of liberty is cherished in the hearts of these rough, but high-minded natives:—national pictures, hymns and songs, hanging to the wall, reminded them of the history of the Revolution, the events of the late war, and, what is more essential, of the value and necessity of keeping unimpaired their rights and invaluable laws.

"The inhabitants are all young and middle-aged; we saw but one or two old people the whole journey; this scarcity of old men is not because the climate is unhealthy, but because the people are, or were a few years ago, almost all young settlers. Six or eight children, with little else but a shirt on, are generally playing about the door of every house;—the country seems propitious to the increase of the human species. Almost every man owns one or two slaves, and the more a man owns the better he is looked upon, especially in a matrimonial case. As slaves, they are treated kindly, with very few exceptions.

"The dress of the people is simple; the men wear either a home-manufactured cotton coat, or a hunting shirt and pair of trousers, with seldom any handkerchiefs round their necks; the women dress in plain gingham, or stripe, all domestic manufactures; they knit their own stockings, spin and weave their clothes and bedding, often make their own candles and shoes, and do almost every thing within themselves. The men are fond of roving

about in the woods with their rifle and dog; they are excellent shots, to a certainty bringing down a squirrel or bird from the tallest trees; some of them make considerable profit in finding gensing and wild honey. Too many neglect their farms, which in the end would prove more advantageous, and follow this life almost altogether. They are all good horsemen. I have seen four or five Kentuckians start, to race for a trifling bet, some with saddles and bridles, and some with nothing but a halter; or, clapping an old saddle without girths on a horse, whisk out of sight in a few moments. They are said to be curious about travellers and their affairs; it is true they sometimes ask many questions that would be considered impertinent in England, but they will answer any you may propose to them, with the same freedom. The peculiar situation of the country, the thinness of its settlements, the distance they live from old America, have sanctioned the custom. We had something like the following dialogue with a New England man, settled in Kentucky, which I copy, as giving a specimen of the worst English you can possibly hear in America. On arriving at the tavern door, the landlord makes his appearance.

"Landlord. Your servant, gentlemen, this is a fine day.

"Answer. Very fine."

"Land. You've got two nice creatures, they are right elegant matches.

"Ans. Yes, we bought them for matches.

"Land. They cost a heap of dollars, (a pause, and knowing look) 200 I calculate.

"Ans. Yes, they cost a good sum.

"Land. Possible! (a pause) going westward to Ohio, gentlemen?

"Ans. We are going to Philadelphia.

"Land. Philadelphia, ah! that's

a dreadful large place, three or four times as big as Lexington.

"Ans. Ten times as large.

"Land. Is it, by George! what a mighty heap of houses, (a pause), but I reckon you was not reared in Philadelphia.

"Ans. Philadelphia is not our native place.

"Land. Perhaps away up in Canada.

"Ans. No, we are from England.

"Land. Is it possible! well, I calculated you were from abroad (pause) how long have you been from the old country?

"Ans. We left England last March.

"Land. And in August here you are in Kentucky. Well, I should have guessed you had been in the States some years; you speak almost as good English as we do!

"This dialogue is not a literal copy, but it embraces most of the frequent and improper applications of words used in the back country, with a few New England phrases. By the log-house farmer and tavern-keeper, they are used as often, and as erroneously, as they occur in the above discourse."

One of the most important advantages of this immense tract, consists in the mighty stream of the Mississippi, receiving all the vast tributaries by which Western America is watered, and being like them navigable through its whole course. A vessel can sail, without interruption, the whole way from Pittsburgh to New Orleans, a distance of 2500 miles, down the Ohio and Mississippi. Mr Fearon has given a description of this last city, destined perhaps to be the greatest emporium in the western world.

"Approaching to New Orleans, a more civilized country than I had previously seen presented itself, though there were (according to the old story) no men hanging in chains. The banks were cultivated, settlements multiplied.

good houses were not uncommon; while numerous extensive sugar plantations bespoke wealth and population. Upon my arrival at New Orleans, it is hardly possible to conceive the delight which I experienced; after a tedious and dreary journey, even the masts of ships afforded me pleasure, as recalling by association what I should now denominate the *comforts* of New York and Philadelphia. The increase of this city since it has become a part of the United States, is truly extraordinary, affording another proof of the advantages possessed by a people who are unshackled. Originally its trade was conducted by men who purchased the right of monopoly from the parent country, or the viceroys and governors. While this enriched the few, it of course impoverished the many, and was wholly inconsistent with general prosperity. Trade is a plant that can only luxuriously flourish in a free soil. Under the government of America, every man is left to pursue the bent of his own inclination, and to go to the full extent of his means;—there exists no monopoly, except that which superior talent or property always must, and always ought to confer. The consequence of this state of things is, that the United States are making unprecedented strides towards substantial wealth and national greatness, though cursed, &c. I am sorry—mortified to the heart, to be obliged to confess, with a population undecaying of their exuberant soil and free government.

"The French language is still predominant in New Orleans. The population is said to be 30,000,—two of which do not speak English. The appearance of the people, too, was French; and even the negroes evinced, by their antics, in rather a ludicrous manner, their previous connexion with that nation.

"The general manners and habits are

very relaxed. The first day of my residence here was Sunday, and I was not a little surprised to find in the United States the markets, shops, theatre, circus, and public ball-rooms open. Gambling houses throng the city; all coffee-houses, together with the exchange, are occupied from morning until night, by gamblers. It is said, that when the Kentuckians arrive at this place, they are in their glory, finding neither limit to, nor punishment of their excesses. The general style of living is luxurious. Houses are elegantly furnished. The ball-room, at Davis's hotel, I have never seen exceeded in splendour. Private dwellings partake of the same character; and the ladies dress with expensive elegance. The sources of public amusement are numerous."

Captain Hall will now enable us to give some idea of Canada, and the settlements on the Canadian frontier. The first aspect of this region is thus described:—"Nothing could be more Siberian than the aspect of the Canadian frontier:—a narrow road, choked with snow, led through a wood, in which patches were occasionally cleared, on either side, to admit the construction of a few log-huts, round which a brood of ragged children, a starved pig, and a few half-broken rustic implements, formed an accompaniment more suited to an Irish landscape than to the thriving scenes we had just quitted. The Canadian peasant is still the same unsophisticated animal whom we may suppose to have been imported by Jacques Cartier. The sharp unchangeable lineaments of the French countenance, set off with a blue or red night-cap, over which is drawn the hood of a grey capote, fashioned like a monk's cowl, a red worsted girdle, hair tied in a greasy leathern queue, brown moccasins of undressed hide, and a short pipe in his mouth, give undeniable testimony of the presence

of Jean Baptiste. His horse seems to be equally solicitous to shame neither his progenitors nor his owner, by any mixture with a foreign race, but exhibits the same relationship to the horses, as his rider to the subjects of Louis XIII. Now, too, the frequent cross by the road side, thick-studded with all the implements of crucifixional torture, begins to indicate a Catholic country; distorted virgins and ghastly saints decorate each inn-room, while the light spires of the parish church, covered with plates of tin, glitter across the snowy plain.

"At La Prairie we crossed the ice to Montreal, whose isolated mountain forms a conspicuous object at the distance of some leagues. From thence to Quebec, the road follows the course of the St Lawrence, whose banks present a succession of villages, many of them delightfully situated; but all form and feature were absorbed in the snowy deluge, which now deepened every league; and to which, the sleigh-track, by frequently running on the bed of the river, placed us below prospect of every kind. We found the inns neat, and the people attentive; French politesse began to be contrasted with American bluntness."

The events of the late war have led to the establishment of a naval depot at Kingston, the appearance of which presents something very striking. "The basis of the soil is a complete quarry of limestone, disposed in horizontal strata, on the surface of the earth, and requiring only to be raised with a lever, to be fit for use. The fort, which was merely a field-work during the war, is now finishing with stone, dug from its own foundation; and, having two stout Martello towers, already looks formidable from the lake;—it is meant chiefly to defend the navy-yard, which it commands. There are batteries on Point Frederic; and on the point of the town, which is pal-

lisaded, and strengthened with block-houses. It contains some good houses, and stores; a small theatre, built by the military for private theatricals; a large wooden government house, and all the appendages of an extensive military and naval establishment, with as much society as can reasonably be expected, in a town so lately created from the "howling desert." The adjacent country is flat, stony, and barren; a circumstance which perhaps increases the kind of interest peculiar to the place; do you approach it by land, the road lies through a tract of forest, in the midst of which the first rude traces of population are scarcely visible; do you come by water, uncultivated islands, and an uninterrupted line of wooded shore, seem conducting you to the heart of a wilderness, known only to the hunter and his prey; you emerge from a wood, double a head-land, and a fleet of ships lies before you, several of which are as large as any on the ocean; others, of equal dimensions, are building on the spot; where, a few months since, their frame-timbers were growing. Of the first, some idea may be formed, by considering that the St Lawrence alone cost 300,000*l*. The *Psyche* frigate, sent from England in frame, cost 12,000*l*. in transporting from Quebec. The commissariat disbursements at Kingston, during the war, were estimated at 1000*l*. per diem. The present expence of the naval establishment is about 25,000*l*. per annum; the navy yard employs 1200 labourers. The banks of the Mohawk, and the Niagara frontier, are the grand scene of new settlements, which seem to be very flourishing. Among these, none appear to equal those in the neighbourhood of Utica.

"Utica stands on the right bank of the Mohawk, over which it is approached by a covered wooden bridge, of some length. The appearance of

the town is highly prepossessing; the streets are spacious; the houses large and well built, and the stores (the name given to shops throughout America) as well supplied, and as handsomely fitted up, as those of New York or Philadelphia. There are two hotels, on a large scale; for one of which, the York House, I can answer as being equal in arrangement and accommodation to any hotel beyond the Atlantic. It is kept by an Englishman from Bath. The number of inhabitants is reckoned at from 3 to 4000; they maintain four churches,—one Episcopal, one Presbyterian, and two Welch. To judge from the contents of three large book-stores, their literary taste inclines chiefly towards theology and church history.

“The town is laid out upon a very extensive scale, of which a small part only is yet completed; but little doubt is entertained by the inhabitants, that ten years will accomplish the whole. Fifteen have not passed since the traveller found here no other trace of habitation than a solitary log-house, built for the occasional reception of merchandize, on its way down the Mohawk. The overflowing population of New England, fixing its exertions on a new and fertile soil, has, in these few years, effected this change, and goes on, working the miracles of industry and freedom, from the Mohawk to the Missouri.

“Utica has great advantages of situation, independent of its soil, being placed nearly at the point of junction betwixt the waters of the Lakes and of the Atlantic. The Mohawk communicates with Wood’s Creek, by a canal from Rome, fifteen miles north of Utica; and Wood’s Creek falls into the Oneida Lake, which is joined to that of Ontario, by the Oswego river. Should the proposed canal betwixt Buffalo and Rome be cut, it will add very considerably to these ad-

vantages, by drawing much of the produce of the Western country in this direction. The expence of this undertaking is variously estimated, at from six to 10,000,000 dollars; and the expence of carriage at about six dollars per ton. \* Commissioners have been appointed to survey the line of communication, and the canal is already traced on paper.

“With Utica commences that succession of flourishing villages and settlements, which renders this tract of country the astonishment of travellers. That so large a portion of the soil should, on an average period of less than twenty years, be cleared, brought into cultivation, and have a large population settled on it, is in itself sufficiently surprising; but this feeling is considerably increased, when we consider the character of elegant opulence with which it every where smiles on the eye. Each village teems, like a hive, with activity and enjoyment; the houses, taken in the mass, are on a large scale, for (excepting the few primitive log-huts still surviving) there is scarcely one below the appearance of an opulent London tradesman’s country box; nor is their style of building very unlike these, being generally of wood painted white, with green doors and shutters, and porches, or verandas in front. The face of the country is beautifully varied;—on the left of the road, lofty ridges divide the lake streams from the head waters of the Chenengo, and Oriskany rivers; and, again, shooting up towards the north, form the steep banks of the Casserige Creek, and the wooded heights, which embosom Onondago Hollow. The shores of the small lakes are picturesquely formed in the same manner, and a succession of ridges is thus continued, till they terminate towards Lake Ontario, in the Niagara heights, and mingle on the south, with the spurs of the Alleghanies, round the

sources of the Susquehannah. The timber of this country is mostly oak, elm, ash, maple, hickory, bass, hemlock, and butternut."

As to the other tract, he observes, "The peninsula, included generally betwixt the two lakes and the Niagara river, obtained during the war, and still keeps, the name of the Niagara Frontier. The Ouse, or Grand River, the banks of which are inhabited by the Six Nations, may be considered its western boundary, and Burlington Bay its limit to the north.

"The whole frontier may be considered as divided into two plateaux; the upper, on a level with Lake Erie; the lower, sloping from the foot of the ridge to Lake Ontario. There is a marked geological distinction betwixt these two tracts. Immediately below Queenston all traces of limestone disappear.

"A decided preference is given by settlers to this neighbourhood;—on our side, the banks of the Grand River were long since chosen by the Six Nations for their fertility; and from thence, to the Thamesian Long Point, are the finest farms in the province. The whole of the American side is rapidly settling, and Erie, built on the site of the old fort, is already a considerable town."

Useful and interesting as were these journeys, this year was distinguished by an enterprize of a grander and bolder character, by which, for some time, all eyes were attracted. In our last volume, we introduced at some length the observations and views of Captain Scoresby, respecting the phenomena of the Polar Ocean, and the grounds on which he had conceived the possibility of penetrating to the pole itself. The subject was afterwards viewed in a still more important light. In a very learned and curious dissertation in the *Quarterly Review*, it was considered,

in the view of discovering a new and shorter passage to the East Indies. It was observed that this problem, after all the attention excited by it in the sixteenth century, and after all the efforts of Davis, Frobisher, Baffin, and other great navigators, remained still undecided. The frozen seas had presented barriers and perils too formidable to be mastered by the yet imperfect struggles of nautical skill. Baffin, indeed, had given a map of the bay which bears his name, and which appears to have been founded on actual observation; but had he explored the open gulfs and deep inlets by which this vast coast is indented; and could it be pronounced to be really the coast of a bay? There appeared very considerable reason to hope, that an accurate examination of its western coast might discover a passage into that sea, which Hearne and Mackenzie had actually traced as forming the northern boundary of America, and thence through Behring's straits, into the South Sea. This, to China and other parts of the East Indies, would afford a much shorter passage than the present one by the Cape. Again, it was contended, that the idea of the approach to the pole being closed by an eternal barrier of ice, rested on very imperfect grounds. Ice, it was said, could be formed only near land, in bays and shallows, whence being detached and floated into the open sea, it collected into fields, and formed those barriers which have hitherto stopped the northerly progress of navigators. But it was contended, that if vessels were careful to keep that open and deep sea, which there is some reason to suppose may surround the pole, they might reach that great mundane limit, and bear down upon the opposite hemisphere, by a shorter route than any which can be carried circuitously round the pole.

Impelled by these views, the Ad-

miralty, from one of whose most distinguished members, the above discussion was understood to have emanated, determined upon sending two expeditions, one to attempt to cross the Polar basin, the other in search of the North-west passage. Opinions might vary as to the chances of success, or the extent of practical benefit to be derived from it; but all agreed in the laudable nature of the enterprize, and in the sure prospect of some important accessions to natural and geographical science.

The Polar expedition consisted of the *Dorothea* of 382 tons, commanded by Captain Buchan, and the *Trent* of 249 tons, commanded by Lieutenant Franklin. It proceeded to seek an entrance into the polar basin, between Spitzbergen and the eastern coast of Greenland. Scarcely, however, had it passed Hackluy's headland, at the northern extremity of the former island, when the ships were inclosed within moving fields of ice, by whose collision they were so severely shattered, that they could with difficulty effect their voyage homeward. This disastrous result, joined to the interest excited by the proceedings in another quarter, seems to have diverted the attention of the public altogether from this line of nautical research.

The other expedition was destined to pave the way at least for more brilliant results. It consisted of the *Isabella* of 385 tons, under Captain Ross, and the *Alexander* of 252 tons, under Lieutenant Parry. This expedition left Deptford on the 18th April, and reached Lerwick on the 30th. On the 1st June it entered Davis' Straits, and on the 17th landed at Waygat, the first great island which occurs in Baffin's Bay. They now joined a number of whalers, and made their way through narrow and intricate channels, sometimes closed in by floes of

ice, sometimes exposed to the impulse of these driving masses, the mutual approach of which occasionally elevated the vessels out of the water. On the 7th of August, in latitude  $75^{\circ} 50'$ , they were exposed to a most serious danger, thus described in Captain Ross's own words.

"A floe on one side of the *Isabella* appeared to be fixed, while another, with a circular motion, was passing rapidly along. The pressure continuing to increase, it became a trial of strength between the ship and the ice; every support threatened to give way; the beams in the hold began to bend; and the iron tanks settled together. At this critical moment, when it seemed impossible for the ship to sustain the accumulating pressure much longer, she rose several feet; while the ice, which was more than six feet thick, broke against her sides, curling back on itself. The great stress now fell upon her bow, and, after being again lifted up, she was carried with great violence towards the *Alexander*, which ship had hitherto been, in a great measure, defended by the *Isabella*. Every effort to avoid their getting foul of each other failed; the ice-anchors and cables broke one after another, and the sterns of the two ships came so violently into contact, as to crush to pieces a boat that could not be removed in time. The collision was tremendous, the anchors and chain-plates being broken, and nothing less expected than the loss of the masts: but, at this eventful instant, by the interposition of Providence, the force of the ice seemed exhausted; the two fields suddenly receded, and we passed the *Alexander* with comparatively little damage. The last things that hooked each other were the two bower anchors, which, being torn from the bows, remained suspended in a line between the two ships, until that of the *Alexander* gave way."

Proceeding farther north, between the latitude of  $76^{\circ}$  and  $77^{\circ}$ , Captain Ross discovered a tribe of Esquimaux, hitherto unknown, and who appeared to have never had any communication with the civilized world. This race did not, in their features, aspect, and manners, differ materially from the Greenlanders or Esquimaux; but some curious scenes were produced by their total ignorance of every thing European. The communication could fortunately be maintained by means of John Sacheuse the Esquimaux, who had resided for several years in the neighbourhood of Edinburgh. "Sacheuse was dispatched, bearing a small white flag and some presents, to endeavour to bring them to a parley. On approaching, a chasm was found in the ice, not passable without a plank, separating the parties from each other. Sacheuse, placing his flag at some distance, returned to the edge, and taking off his hat, made friendly signs for them to approach as he did. They cautiously advanced, having nothing in their hands but the whips with which they guide their dogs, and after satisfying themselves that the chasm was impassable, seemed to acquire confidence. Words were exchanged for some time to little purpose, till Sacheuse thinking he perceived a resemblance to the Humooke dialect, holding up the presents, called to them in that dialect to 'come on;' they then seemed to understand him, and replied in words which he made out to mean, 'No, no, go away; we hope you are not come to destroy us.' The boldest then approached the chasm, and drawing a knife from his boot said, 'Go away, I can kill you.' Sacheuse, not intimidated, told them he was a friend, and threw over some strings of beads, a checked shirt, and a knife, saying, 'Take that;' they now approached with caution, picked up the knife, then shouted and pulled

their noses; Sacheuse perceiving this was their elegant mode of salutation, shouted in reply, and pulled his nose with the same gesture. They pointed to the ships, eagerly asking 'What great creatures these were?' 'Do they come from the sun or the moon?' 'Do they give us light by night or by day?' Sacheuse replied, that they were houses of wood. This they seemed to discredit, saying, 'No, they are alive, we have seen them move their wings!' He then told them, he came from a distant country in that direction, pointing to the south. To this they answered, 'That cannot be, there is nothing but ice there.' On being asked where they lived, they pointed to the north, and said there was much water there, and that they had come here to fish for sea unicorns. It was then agreed that Sacheuse should pass the chasm, and he returned to the ship for a plank.

"Having procured one, he passed over; the natives shewed the greatest alarm on his approach, and earnestly entreated him not to touch them, or, if he did, they would certainly die. They evidently doubted extremely whether he was actually a human being, till one of them, after much hesitation, ventured to touch his hand; then pulling himself by the nose, set up a shout, in which he was joined by the others. Captain Ross, in hopes of obtaining some interesting information, now advanced along with Lieutenant Parry; they instantly retreated in great alarm towards their sledges; but on the Captain and the rest of the party pausing and pulling their noses, they also halted and returned this salute with great gravity; it was now evident it was meant as a friendly salutation. A few knives and small looking-glasses were now distributed, which seemed to give them infinite delight. In seeing their faces in the glasses their amazement was extreme,



and the natural and unrestrained expression of their surprise and pleasure was irresistibly ludicrous. With much difficulty they were persuaded to advance towards the ship, and on approaching, it was apparent they still believed it to be a living creature, looking at the masts, and examining every part with marks of the greatest fear and astonishment, one of them cried out, in words perfectly intelligible to Sacheuse, 'Who are you? What are you? Where do you come from? Is it from the sun or the moon?' They were at length induced to go on board. Their amazement may easily be conceived; every thing was new to them. Their knowledge of wood was limited to some heath of a dwarfish growth, of course they knew not what to think of the quantity of timber they saw on board. The only article which they pretended to know was glass, which they instantly declared to be ice. They shewed the same inclination to pilfering which appears common to all savages, but their choice of articles was unfortunate, for one of them, apparently without any idea of the weight of things, coolly attempted to carry off the smith's anvil, and another the spare top-mast, and seemed surprised at its resistance. They seemed to have no pleasure in music; some times being played on a violin, they paid not the least attention to it. On being offered some biscuit to eat, one of them put it to his mouth, but instantly spit it out with disgust, and some salt beef that was then offered produced the same effect. Being questioned as to the numbers of their nation, it was ascertained that they could not count beyond ten; but on inquiring if there were as many inhabitants as there were pieces of ice floating round the ship, they answered 'Many more;' a thousand fragments at least were at that time visi-

ble. Being now loaded with presents of various kinds, they took their departure, mounted their sledges, and drove off, hallooing and pulling their noses, apparently in great glee.

"The ships were afterwards visited by another party of the natives, and we shall now proceed to lay before our readers a short summary of the information obtained from them, and the result of Captain Ross's observations respecting this secluded corner of the world.

"The country to which Captain Ross gave the name of the Arctic Highlands, is situated on the north-east corner of Baffin's Bay, between the latitudes  $76^{\circ}$  and  $77^{\circ} 40'$  N. and the longitudes  $60^{\circ}$  and  $72^{\circ}$  W. thus extending on the sea-shore for 120 miles, and towards the extremities is reduced to nothing. It is bounded on the south by a barrier of mountains covered with ice; as far as could be judged from the ships, this barrier is impassable. The interior country presents an irregular group of mountainous land, declining gradually from the high ridge before mentioned towards the sea, which it reaches in an irregular manner, and still at a considerable elevation, the sea cliffs ranging from five hundred to a thousand feet in height.

"On the surface of the land above the cliff, a scanty appearance of vegetation of a yellowish green colour, and here and there a spot of a heath brown, was to be seen. Similar traces of verdure were also occasionally apparent at the foot of the cliffs. The boundary of this region must be placed to the northward of Whale Sound at Cape Robertson; from that Cape towards the north the mountains rise immediately from the sea, and form a ridge similar to that which takes its rise at Cape Melville. Thus it is inclosed on all sides, and precluded from all possibility of communication by

land with any other inhabitants of this country, should there be any to the eastward of this. The space between Cape Melville and Cape York forms a spacious bay, which Captain Ross named Prince Regent's Bay; and is of opinion, the whale fishery might be pursued here with great success, as the whales were large and numerous, and that a valuable trade might be established in black fox skins, great numbers of these animals being seen; these could be procured for European commodities of trifling value, such as knives, pieces of wood, crockery ware, &c. &c.

"The inhabitants of this secluded district have no knowledge of any thing but what originates in their own country; nor have they any tradition how they came to this spot, or from whence they are derived; and it is a remarkable fact, that until the moment of the arrival of Captain Ross, they believed themselves to be the only inhabitants of the universe, and that all the rest of the world was a mass of ice. The similarity of their language proves them to be of the same race as the South Greenlanders, who believe their country to have been peopled from the north; and the northern part of Baffin's Bay was probably originally peopled by a tribe from America.

"The Arctic Highlanders are of a dirty copper colour, short in stature, seldom exceeding five feet, rather corpulent, and their features much resembling the Esquimaux of South Greenland. None of their houses were seen, but they described them as built entirely of stone, the walls being sunk about three feet into the earth, and raised about as much above it. They have no windows, and the entrance is by a long narrow passage, nearly under ground. Several families live in one house, and each has a lamp made of hollowed stone, hung

from the roof, in which they burn the blubber of the seal, &c. using dried moss for a wick, which is kindled by means of iron and stone. This lamp, which is never extinguished, serves, at once, for light, warmth, and cooking. They have no vegetable food, but live entirely on the flesh of animals; the seal and sea-unicorn are preferred, as being the most oily and agreeable to their palate. This diet does not appear unwholesome, all the natives that were seen looking vigorous and healthy, and nothing was heard of any disease to which they were subject. Each man, when he was able to maintain a family, took one wife, and, if she had children, he was not permitted to take more; if otherwise, he took another, and the woman enjoyed the same privilege. They all lived under the government of one chief, to whom they paid a portion of all they caught or found. He was described as living in a house nearly as large as the ship, and that a great portion of the people lived near him."

After passing this bay, the navigators came to a very striking phenomenon, formed by a range of cliffs covered with snow of a deep crimson colour. The colouring matter was found to consist of small globular particles, extending often to the depth of 10 or 12 feet. A portion was brought home, and analyzed by Dr Woollaston, who found the globules to be of an oily nature, and appearing, when highly magnified, to be subdivided into cells. Although they discovered some symptoms of an animal origin, yet there were others which appeared more strongly to mark them as vegetable substance. Nor even a conjecture appears to have been framed as to the actual manner in which they are produced.

The expedition now passed Wostenholme Sound, Whale Sound, and

Smith's Sound, without being able to effect a passage. They came then to the western coast of Baffin's Bay, being that towards which their inquiry was to be peculiarly directed. Jones' Sound, which they first passed, had every appearance of being completely land-locked. Soon after, the perpetual day of the Polar regions closed, and the weather became dark and foggy. On the 29th August they came to Lancaster Sound, which was supposed to exhibit greater appearance of a passage than any yet seen, and excited much interest in the crews. Captain Ross, in fact, sailed up for a certain space. We shall give the result in his own words :

" Soon after midnight the wind began to shift, and the ship came gradually up, enabling us to stand directly up the bay : I, therefore, made all sail, and left the *Alexander* considerably astern. At a little before four o'clock A. M., the land was seen at the bottom of the inlet by the officers of the watch ; but before I got upon deck, a space of about seven degrees of the compass was obscured by the fog. The land which I then saw was a high ridge of mountains, extending directly across the bottom of the inlet. This chain appeared extremely high in the centre, and those towards the north had, at times, the appearance of islands, being insulated by the fog at their bases. Although a passage in this direction appeared hopeless, I was determined completely to explore it, as the wind was favourable ; and, therefore, continued all sail. At eight the wind fell a little, and the *Alexander* being far astern, I sounded, and found 67½ fathoms, with a soft muddy bottom. There was, however, no current, and the temperature of the mud was 29½°. Soon after this the breeze freshened, and we carried all sail, leaving the *Alexander*, and steering directly up the bay. The weather was

now variable, being cloudy and clear at intervals. Mr Beverley, who was the most sanguine, went up to the crow's-nest ; and, at twelve, reported to me, that before it came thick, he had seen the land across the bay, except for a very short space. Although all hopes were given up, even by the most sanguine, that a passage existed, and the weather continued thick, I determined to stand higher up, and put into any harbour I might discover, for the purpose of making magnetical observations. Here I felt the want of a consort, which I could employ to explore a coast, or discover a harbour ; but the *Alexander* sailed so badly, and was so leewardly, that she could not safely be employed on such a service. During this day we shortened sail several times, to prevent our losing sight of her altogether. As we stood up the bay, two capes on the south side were discovered, one of which I named after the Earl of Liverpool ; and the land was named Cape Hay, which formed the boundary on one side of Catherine's Bay before mentioned.

" About one, the *Alexander*, being nearly out of sight to the eastward, we hove to for half an hour, to let her come up a little ; and at half past one, she being within six or seven miles of us, we again made all sail. I intended to have sounded during this interval, but I found the south-east swell had so much increased, and the drift was so great, that it was impracticable.

" At half past two there were some hopes of its clearing, and I left orders to be called on the appearance of land or ice a-head. At three, the officer of the watch, who was relieved to his dinner by Mr Lewis, reported, on his coming into the cabin, that there was some appearance of its clearing at the bottom of the bay ; I immediately, therefore, went on deck, and soon after it completely cleared for about ten

minutes; and I distinctly saw the land, round the bottom of the bay, forming a connected chain of mountains with those which extended along the north and south sides. This land appeared to be at the distance of eight leagues; and Mr Lewis, the master, and James Hay, leading man, being sent for, they took its bearings, which were inserted in the log; the water on the surface was at temperature of 34 degrees. At this moment I saw also a continuity of ice, at the distance of seven miles, extending from one side of the bay to the other, between the nearest cape to the north, which I named after Sir George Warrender, and that to the south, which was named after Viscount Castlereagh. The mountains, which occupied the centre, in a north and south direction, were named Croker's Mountains, after the Secretary to the Admiralty. The south-west corner, which formed a spacious bay, completely occupied by ice, was named Barrow's Bay, and is bounded on the south by Cape Castlereagh, and on the north by Cape Rosamond, which is a head-land, that projects eastward from the high land in the centre. The north corner, which was the last I had made out, was a deep inlet; and as it answered exactly to the latitude given by Baffin of Lancaster Sound, I have no doubt that it was the same, and consider it as a most remarkable instance of the accuracy of that able navigator. At a quarter past three, the weather again became thick and unsettled; and being now perfectly satisfied that there was no passage in this direction, nor any harbour into which I could enter, for the

purpose of making magnetical observations, I tacked to join the Alexander, which was at the distance of eight miles; and having joined her a little after four, we stood to the south-eastward."

The interest of the voyage may now be said to terminate. On the 1st October Captain Ross reached Cumberland Strait, where the chance of a passage appeared to him better than in any other place; but he considered the season to be now too late for any attempt to explore it.

The decided opinion formed by Captain Ross respecting the nature of Lancaster Sound had not been shared by several of the other officers, particularly by Lieutenant Parry and Mr Sabine; and the reasons on which he founded it did not appear to the Admiralty at all conclusive. By his own statement, he was at the distance of 24 miles from the apparent head of the bays. But it is a matter of familiar observation, that any strait or passage at all winding, has the appearance, at its entrance, of being land-locked, nor is it possible to ascertain the contrary without coming a great deal nearer than Captain Ross reached. Even supposing a passage perfectly straight, and bounded by the land, how establish the non-existence of a lateral passage on some part of the intervening coasts? The question, therefore, was justly considered by the Admiralty as quite undecided; and the resolution formed to fit out a new expedition for the ensuing year. The important result will appear in our next volume.

## ASIA.

This year was not much distinguished by Asiatic discovery. Mr Morier communicated to the public the observations made in his second journey through Persia, performed in the train of the ambassador, Sir Gore Ouseley. Some curious and interesting additions were here made to the information formerly communicated by the same gentleman respecting that empire. There is something striking in his picture of the first aspect which Persia presents to a European.

"It would, perhaps, be impossible to give to an inhabitant of London a correct idea of the first impressions made upon the European stranger on his landing in Persia. Accustomed, as his eye has been, to neatness, cleanliness, and a general appearance of convenience in the exteriors of life, he feels a depression of spirits in beholding the very contrary. Instead of houses with high roofs, well glazed and painted, and in neat rows, he finds them low, flat-roofed, without windows, placed in little connexion. In ruin he looks for what his idea of a street may be: he makes his way through the narrowest lanes, incumbered with filth, dead animals, and mangy dogs. He hears a language totally new to him, spoken by a people whose looks and dress are equally extraordinary. Instead of our smooth chins and tight dresses, he finds rough faces, masked with beards and mustaches, in long flapping clothes. He sees no active people walking about, with an appearance of something to do; but here and there he meets a native just crawling along in slipshod shoes. When he seeks the markets and shops, a new and original scene

opens upon him. Little open sheds in rows, between which is a passage, serving as a street, of about eight feet in breadth, are to be seen, instead of our closely-shut shops, with windows gaily decked."

Mr Morier took a view of the ruins of Persepolis, from which he hesitated not to carry off some fragments as specimens. Conceiving from the symmetry of the edifice, that there must have been a row of figures on the left of the stair-case, which had not been delineated by Le Bruyn or Chardin, he hired some labourers, caused the place to be dug, and to his great delight, discovered the expected row of figures in the highest preservation; the details of whose faces, hair, dresses, arms, and general character, seemed but as the work of yesterday. The faces of all those previously above ground had been mutilated by the savage bigotry of the first Mussulmans who invaded Persia.

Near Bushire, Mr Morier saw a swarm of locusts, that plague of all the countries bordering on the desert. "On the 11th of June, whilst seated in our tents about noon, we heard a very unusual noise, that sounded like the rushing of a great wind at a distance. On looking up we perceived an immense cloud, here and there semi-transparent, in other parts quite black, that spread itself all over the sky, and at intervals shadowed the sun. This we soon found to be locusts, whole swarms of them falling about us: but their passage was but momentary; for a fresh wind from the south-west, which had brought them to us, so completely drove them forwards, that not a

vestige of them was to be seen two hours after. They seemed to be impelled by one common instinct, and moved in one body, which had the appearance of being organized by a leader. As all was dry in the plain of Shiraz, the same instinct seemed to to propel them forwards to countries of more vegetation; and, with a small slant of the wind to the westward, they would get into the mountains of of Louristan, where the corn was not ripe; and where, as the prophet Joel says (xi. 3), after comparing them to a great army,—‘they had the land of Eden before them.’”

Ispahan, at the arrival of the embassy, was found to have recovered somewhat from the state of decay into which it had fallen. This improvement it owed to the exertions of Ameen-ad-Dowlah, who had risen from the situation of green grocer to be governor of the province. He had little more of learning or information than belonged to his original vocation; yet he could recommend himself by the useful art of making copious remittances to the royal treasury, without pressing too severely on the people. Under his administration, the public buildings had been repaired and beautified, new avenues had been planted, and cultivation increased. “The great city of Ispahan,” says Mr Morier, “which Chardin had described as being twenty-four miles in circumference, were it to be weeded (if the expression may be used) of its ruins, would now dwindle to about a quarter of that circumference. One might suppose that God’s curse had extended over parts of this city, as it did over Babylon. Houses, bazaars, mosques, palaces, whole streets are to be seen in total abandonment; and I have rode four miles among its ruins, without meet-

ing with any living creature, except perhaps a jackal peeping over a wall, or a fox running to his hole.

“In a large tract of ruins, where houses in different stages of decay are to be seen, now and then an inhabited house may be discovered, the owner of which may be assimilated to Job’s forlorn man, ‘dwelling in desolate cities, and in houses which no man inhabiteth, which are ready to become heaps,’ chap. xv. verse 28. Such a remark as this must have arisen from scenes similar to those which parts of Ispahan present; and, unless the particular feeling of melancholy which they inspire has been felt, no words can convey adequate ideas of it.

“But if the ruins, when examined in detail, are saddening to the sight; yet, as they are not distinguishable from the inhabited houses, when seen in masses from afar, they tend greatly to magnify the extent of the city, and to give it the appearance now of what must have been its former greatness. The view which breaks upon the traveller, when he arrives from the southward, is in the finest style of grandeur; and one may excuse the Persian who, in his exultation at the sight, exclaims, that his *Ispahan* is *nisfeh jehan*.”

“In forming his idea of this city, let not the reader bring it into comparison with any of the capitals of Europe. Here are no long and broad streets, no architectural beauties, and few monuments of private wealth, or public munificence. At Ispahan, indeed, (and it is nearly the same in all despotic countries) the interior of houses is much better than their exterior would indicate. Indeed, where scarcely any thing of the house is to be seen from the street, but a dead wall, as is the case with the generality

of Persian houses, there is not much room for exterior ornament. This constant succession of walls, unenlivened by windows, gives a character of mystery to their dull streets, which is greatly heightened by now and then observing the women, through the small apertures made in the wall, stealing a look at the passengers below.

"The entrances to the houses from the street are generally mean and low. A poor man's door is scarcely three feet in height; and this is a precautionary measure to hinder the servants of the great from entering it on horseback; which, when any act of oppression is going on, they would make no scruple to do. But the habitation of a man in power is known by his gate, which is generally elevated in proportion to the vanity of its owner. A lofty gate is one of the insignia of royalty; such is the *Allah Capi* at Ispahan, and *Bab Homayan*, or the sublime Porte, at Constantinople. This must have been the same in ancient days. The gates of Jerusalem, Zion, &c. are often mentioned in the Scripture with the same motion of grandeur annexed to them. The richest manufacture of Ispahan is the *zeri*, or brocade. We visited a house in which three looms were at work: the brocade which they were manufacturing had a rich appearance, but did not equal the *kincobs* of India, or the gold stuffs of France. The rich Persians wear the *zeri* for their outer garment on gala-days; and of this the *kalaats*, or dresses of honour, which the king and his sons confer, are made. A piece of brocade, three-fourth of a *zer* in breadth, and five *zers* in length, is worth, according to the quality, from five to ten tomanas. We also visited a manufactory of satin, called in Persian *atlas*, which appeared a very fine stuff, and which the Persians also use for their outward coat, the *caba*. Ispa-

han possesses many manufactories of silk,—a commodity which is brought for the most part from Ghilan. The spinning-wheels of the Persians are constructed like those of Europe. We visited a house where fifty skeans of silk were spun in one day, and were then conducted to seven looms belonging to the same manufactory, where long black silk handkerchiefs, which Persian women wear as turbans, were wove. These seven looms employed thirty men. The weavers are paid by the piece, and not by the day; and, for completing one handkerchief, which is two *zers* and a quarter square, they receive two piastres (about three shillings and eight-pence). "No regular bazaar for books is established at Ispahan, as at Constantinople; but we were well supplied with manuscripts by the *delaks*, or brokers,—men who are useful, though dishonest, who generally procured for us the books we wanted, by searching for them in shops, or in private houses. Several very fine manuscripts were brought to us, besides a great variety of Persian drawings. The Persians are not so bigotted with respect to the pollution of the Koran, by the touch of infidels, as the Turks; for many copies were brought to us for sale. But they hold it in great respect; for, one day, a Mollah brought us some books for sale, which he spread upon the ground before us,—one of us by chance placing his foot upon a Cuffick manuscript, containing sentences of the Koran, was reprimanded by the Persian, who exclaimed, 'Beware, that is the word of God!'"

The embassy found the king at Teheran or Tehraun, situated in the northern part of Persia, and which had for some years been the royal residence. Here they were well received, and spent the winter, in the course of which they enjoyed many

familiar conversations with the monarch. He shewed a peculiar curiosity about every thing connected with the politics, manners, and national economy of the European states. The cleverest and most active member of the royal family, however, was Abbas Mirza, the Prince Royal, who had made very uncommon efforts to introduce European discipline among his troops, as the only means of enabling them to contend effectually against the Russians. "His first essays in discipline were attended with little success, because he had, in the outset, to combat the prejudices of the Persian recruits themselves, who rejected the idea of being assimilated in any manner to *Frénges*, and particularly to Russians, whom their national hatred made them despise, or perhaps their fear caused them to hate, more than all other Europeans. To efface such impressions, the prince said that he himself was obliged to adopt a soldier's dress, and to submit to learn the military exercise from a Russian; that he commenced with twenty or thirty men at a time, whom he caused to be drilled in a separate court by themselves, in order that they might not be exposed to the ridicule of the populace; and that it was not until he had ordered his nobles to follow his example, and handle a musket, that he found his scheme making any progress. So far he had succeeded in teaching a few of his men the platoon exercise, to march abreast, to turn about at the word of command, and to beat a drum; but he wanted officers, and he very probably would have got no further, if the French embassy from Bonaparte had not arrived in Persia at that time, when the officers attached to it were put into commands of large bodies, and they advanced his views to the utmost of his expectations. What were but the rudiments of military science appeared to

him its perfection; and, notwithstanding he afterwards discovered how little his first levies had learnt, yet still, in recollection of the pleasure which their appearance had given him, he ever after entertained a greater partiality for them than for his other troops.

"The English mission which succeeded the French, also supplied him with officers, and his first wish was to raise a corps of artillery, which was done by Lieutenant Lindsay, an officer of the Madras army, in a manner truly astonishing. The zeal of this officer was only to be equalled by the encouragement of the prince, who, putting himself above all prejudices, resisting the jealousy of his officers, and the cabal of courtiers, liberally adopted every method proposed, and supported Lieutenant Lindsay against every difficulty that was thrown in his way. He gave him full power to punish his recruits in any manner he chose, and gave him unlimited control over his troop. It was only upon the article of shaving off beards that the prince was inexorable; nor would the sacrifice of them have ever taken place if it had not happened that, on firing the guns before the prince, a powder-horn exploded in the hand of a gunner, who by good luck had been gifted with a long beard, which, in one instant, was blown away from his chin. Lieutenant Lindsay, who did not lose this opportunity to prove his argument on the encumbrance of beards to soldiers, immediately produced the scorched and mutilated gunner before the prince, who was so struck with his woful appearance, that the abolition of military beards was instantly decided upon.

"The *sirbaz* or infantry were placed under the command of Major Christie of the Bombay army, an officer of the greatest merit, who inspired his troops with an *esprit de corps*, that manifest-



ed itself on many occasions." The prince had made a considerable collection of English books, which he often and earnestly contemplated, though without being able to understand a word, or to find any one who could translate them. He had also made efforts to remedy the abuses of oriental government. "The first step," said he, "towards the establishment of a good government, is to give protection to the peasant; and to that effect I have abolished the custom of selling governments to the highest bidder, which is the common mode throughout the rest of Persia. You would scarcely believe the difficulty I have had in doing this. As, for instance, I give a man ten and twelve thousand toman a-year, and appoint him the governor of (we will say) the district of Maragha. I define what each peasant is to pay to the government, and fix the sum of the annual tribute which my officer is to levy, and beyond which he is ordered not to exact a *dinar*. Such is the Persian character, that he would rather be permitted to beat and tyrannise over the *Rayat*, and get his salary in the best manner he was able, than to receive the sure and regular stipend which I would give him, without the trouble attendant on extortion and punishment. He is surrounded by sycophants, who flatter him, and say, 'What sort of a governor are you, who cannot beat these animals of *Rayats*? Nobody cares for you; you are the *Mastof's* (the civil officer's) governor.'" "During their stay at the Persian court, the embassy heard of the death of Mr Brown, the celebrated traveller. After having passed the river Kizil Ozen, near the northern frontier of Persia, he was seized, along with his servants, by ten predatory horsemen, who carried them into a lonely valley. After a few hours, they released the servants, but carried

Mr Brown to a remoter spot; and some remains of his clothes, afterwards found near the banks of the river, left no doubt of his having been murdered. The embassy were seconded by the government in the most strenuous efforts to discover and punish the criminals; but though strong suspicion fell upon certain individuals, it was impossible to obtain such proof as would obviate entirely the danger of punishing the innocent.

The mission, on its return to England, was accompanied by a Persian ambassador; and we shall conclude by a short notice of the impressions made upon this stranger by this country; which are not ill calculated to illustrate the train of oriental ideas.

"His first surprise on reaching England, was at the caravanserais, for so, though no contrast can be greater, he called our hotels. We were lodged in a gay apartment at Plymouth, richly ornamented with looking-glasses, which are so esteemed in Persia that they are held to be fitting for royal apartments only; and our dinners were served up with such quantities of plate, and of glass ware, as brought forth repeated expressions of surprise: every time he was told that they were the common appendages of our caravanserais. The good folks of the inn, who, like most people in England, look upon it as a matter of course that nothing can be too hot for Asia, so loaded the ambassador's bed with warm covering, that he had scarcely been in bed an hour, before he was obliged to get out of it.

"One of the public coaches was hired to convey his servants to London; and when four of them had got inside, having seated themselves cross-legged, they would not allow that there could be room for more, although the coach was calculated to take six. They armed themselves from head to foot with pistols, swords, and each a mus-

ket in his hand, as if they were about to make a journey in their own country; and thus encumbered, notwithstanding every assurance that nothing could happen to them, they got into the coach. His excellency himself greatly enjoyed the novelty of a carriage, and was delighted at the speed with which we travelled, particularly at night, when he perceived no diminution of it, although he was surprised that all this was done without a guide. He who had witnessed the manner in which our ambassador had been received in Persia, particularly the *levee en masse* of the inhabitants who were sent out to meet him at every place where he stopt, was surprised to see the little notice that he himself in the same situation in England had attracted, and the total independence of all ranks of people.

"Although he found a fine house, and a splendid establishment ready to receive him in London, and although a fine collation was laid out upon the morning of his arrival, nothing could revive his spirit; so much had he been disappointed at the mode of his reception."

"He had formed his ideas of our court from what he recollected of his own, where the king a person is held so sacred, that few have the privilege of approaching it. He had a private audience at the Queen's house, and, from the manner in which he expressed himself after it, however, it appeared that the respect which he had hitherto felt towards our monarch was diminished. There are many ceremonies exacted upon approaching the Shah of Persia. Here the Persian entered at once into the same room where his Majesty was standing. He made no inclination of the body, he did not even take his shoes off; and, what is more, he put his credentials into his Majesty's own hands. He said, that he had expected to have

seen our King seated on a throne at a distance, and that he could not have approached within many paces of him: his surprise then may be conceived, when, on entering a small room, he was taken to a person whom he took to be a *capitaine* or porter, and was informed that this was the King of England."

At another extremity, or rather vast appendage of Asia, the continent of New Holland, extraordinary efforts were made to penetrate into the immense unknown tract, which constitutes its interior. In our last, we noticed Mr Evan's expedition, and his discovery of the river Lachlan. In the course of the present year were received the accounts of a more extended journey by Mr Oxley, to trace the further course of a river, from which important expectations were formed. As his official dispatch to the governor, gives a full view of the general result, we shall here insert it.

"Bathurst, 30th August, 1817.

"SIR,—I have the honour to acquaint your Excellency with my arrival at this place last evening, with the persons comprising the expedition to the westward, which your Excellency was pleased to put under my direction."

"Your Excellency is already informed of my proceedings up to 30th April. The limits of a letter will not permit me to enter at large into the occurrences of nineteen weeks, and I shall have the honour of waiting on your Excellency in a few days. I trust you will have the goodness to excuse the summary account I now offer to your Excellency."

"I proceeded down the Lachlan, in company with the boats, until the 12th May, the country rapidly descending until the waters of the river rose to a level with it, and, dividing

into numerous branches, inundated the country to the west and north-west, and prevented any further progress in that direction, the river itself being lost among marshes. Up to this point it had received no accession of waters from either side, but, on the contrary, was constantly dissipating in lagoons and swamps.

"The impossibility of proceeding further in conjunction with the boats being evident. I determined, upon mature deliberation, to haul them up, and, divesting ourselves of every thing that could possibly be spared, proceed with the horses, loaded with the additional provisions from the boats, on such a course towards the coast as would intersect any stream that might arise from the divided waters of the Lachlan.

"In pursuance of this plan, I quitted the river on the 17th May, taking a south-west course towards Cape Northumberland, as the best one to answer my intended purpose. I will not here detail the difficulties and privations we experienced in passing through a barren and desolate country without any water but such rain water as was found remaining in holes and the crevices of rocks.

"I continued this course until the 9th June, when, having lost two horses through fatigue and want, and the others being in a deplorable condition, I changed our course to north, along a range of lofty hills running in that direction, as they afforded the only means of procuring water, until we should fall in with some running stream.

"On this course I continued until the 23d June, when we again fell in with a stream, which we had at first some difficulty to recognize as the Lachlan, it being little larger than one of the marshes of it where it was quitted on the 17th May.

"I did not hesitate a moment to

pursue this course, not that the nature of the country, or its own appearance, in any manner indicated that it would become navigable, or was even permanent, but I was unwilling that the smallest doubt should remain of any navigable waters falling westward into the sea between the limits pointed out in my instructions.

"I continued along the banks of the stream until the 8th July, it having taken during this period a westerly direction, and passing through a perfectly level country, barren in the extreme, and being evidently at periods entirely under water. To this point it had been gradually diminishing, and spreading its waters over stagnated lagoons and morasses, without receiving any stream that we knew of during the whole extent of its course. The banks were not more than three feet high, and the marks of flood on the shrubs and bushes, shewed, that at times it rose two or three feet higher, causing the whole country to become a marsh, and altogether uninhabitable.

"Further progress westward, had it been possible, was now useless, as there was neither fall nor rising ground of any kind within the compass of our view, which was only bounded by the horizon in every quarter,—entirely devoid of timber, except a few diminutive gums on the very edge of the stream might be so termed.

"The water in the bed of the lagoon, as it might now properly be designated, was stagnant, its breadth about 20 feet, and the heads of grass growing in it shewed it to be about three feet deep.

"This originally unlooked-for and truly singular state of a river, which we had anxiously hoped, and reasonably expected, would have led to a far different conclusion, filled us with the most painful sensations. We were full 300 miles west of Sydney, and nearly

in its latitude; and it had taken us ten weeks of unremitting exertion to proceed so far. The nearest part of the coast about Cape Bernouilli, had it been accessible, was distant about 150 miles. We had demonstrated, beyond the shadow of a doubt, that no river whatever could fall into the sea between Cape Otway and Spencer's Gulf, at least none deriving their waters from the eastern coast; and that the country south of the parallel of 34°, and west of the meridian of 147° 30' E. was uninhabitable, and useless for all the purposes of civilized man.

"It now became my duty to make our remaining resources as extensively useful to the colony as our circumstances would allow. These were much diminished. An accident to one of the boats, in the outset of the expedition, had deprived us of one-third of our dry provisions, of which we had originally but 18 weeks; and we had been, in consequence, for some time on a reduced ration of two quarts of flour per man per week. To return to the depot by the route we had come, would have been as useless as impossible; and, seriously considering the spirit of your Excellency's instructions, I determined, upon the most mature deliberation, to take such a route, on our return, as would, I hoped, best comport with your Excellency's views, had our present situation even been contemplated.

"Returning to the Lachlan, I recommenced the survey of it from the point in which it was made, 23d June, intending to continue up its banks until its connexion with the marshes, where we quitted it on the 17th May, was satisfactorily established; as also to ascertain if any streams might have escaped our research. The connexion with all the points of the survey previously ascertained, was completed between the 19th July and 3d August.

"In the space passed over within that period, the river had divided into various branches, and formed three fine lakes, which, with one near the termination of our journey westward, were the only considerable pieces of water we had yet seen; and I now estimated, that the river, from the place where first made by Mr Evans, had run a course, taking all its windings, of upwards of 1200 miles, a length of course altogether unprecedented, when the *single* nature of the river is considered, and that its original is its only supply of water during that distance.

"Crossing at this point, it was my intention to take a north-east course to intersect the country, and, if possible, ascertain what had become of the Macquarrie River, which it was clear had never joined the Lachlan. This course led us through a country to the full as bad as any we had yet seen, and equally devoid of water,—the want of which again much distressed us. On the 7th August, the scene began to change, and the country to assume a very different aspect; we were now quitting the neighbourhood of the Lachlan, and had passed to the N. E. of the high range of hills which on this parallel bounds the low country to the north of the river. To the N. W. and N. the country was high and open, with good forest-land; and on the 10th we had the satisfaction to fall in with the first stream running northerly. This renewed our hopes of soon falling in with the Macquarrie, and we continued upon the same course, occasionally inclining to the eastward, until the 10th, passing through a fine luxuriant country, well watered, crossing in that space of time nine streams, having a northerly course through rich valleys, the country in every direction being moderately high and open, and generally as fine as can be imagined. No doubt remained on

our minds that those streams fell into the Macquarrie,—and to view it before it received such an accession, was our first wish. On the 19th, we were gratified by falling in with a river running through a most beautiful country; and which I should have been well contented to have believed the river we were in search of. Accident led us down this stream about a mile, when we were surprised by its junction with a river coming from the south, of such width and magnitude, as to dispel all doubts as to this last being the river we had so long anxiously looked for.

“Short as our resources were, we could not resist the temptation this beautiful country offered us, to remain two days at the junction of the rivers, for the purpose of examining the vicinity to as great an extent as possible.

“Our examination increased the satisfaction we had previously felt; as far as the eye could reach, in every direction, a rich and picturesque country extended, abounding in lime-stone, slate, good timber, and every other requisite that could render an uncultivated country desirable. The soil cannot be excelled, whilst a noble river of the first magnitude afforded the means of conveying its productions from one part to another. When I quitted it, its course was northerly, and we were then north of the parallel of Fort Stephens, being in latitude  $30^{\circ} 45'$  south, and at  $148^{\circ} 58'$  east longitude.

“It appeared that the Macquarrie had taken a N. N. W. course from Bathurst, and that it must have received immense accessions of water in its course from that place. We viewed it at a period best calculated to form an accurate judgment of its importance, when it was neither swelled by floods beyond its natural and usual height, nor contracted within its pro-

per limits, by summer drought; of its magnitude, when it should have received the streams we had crossed, independent of any it may receive from the east, which, from the boldness and height of the country, I presume, must be at least as many,—some idea may be formed, when, at this point, it exceeded in breadth, and apparent depth, the Hawksbury at Windsor.

“Many of the branches were of grander and more extended proportion than the admired one on the Nepean River, from the Warragamba to Emu Plains.

“Resolving to keep as near the river as possible during the remainder of our course to Bathurst, and endeavour to ascertain, at least on the west side, what waters fell into it,—on the 22d, we proceeded up the river, and between the point quitted and Bathurst, crossed the sources of numberless streams, all running into the Macquarrie; two of them were nearly as large as that river itself at Bathurst. The country from which all these streams derive their source was mountainous and irregular, and appeared equally so on the east side of the Macquarrie.

“This description of country extended to the immediate vicinity of Bathurst; but to the west of those lofty ranges the country was broken into low grassy hills and fine valleys, watered by rivulets rising on the west side of the mountains, which, on their eastern side, pour their waters directly into the Macquarrie.

“These westerly streams appeared to me to join that which at first sight I had taken for the Macquarrie; and, when united, fall into it at the point, on which it was first discovered on the 19th instant.

“We reached this place last evening, without a single accident having occurred during the whole progress of

the expedition, which, from this point, has encircled within the parallels of  $34^{\circ} 30'$  and  $32^{\circ} S.$ , and between the meridians of  $149^{\circ} 43'$  and  $143^{\circ} 40' E.$ ,—a space of nearly 1000 miles.

"I shall hasten to lay before your Excellency the journals, charts, and drawings, explanatory of the various occurrences of our diversified route; infinitely gratified if our exertions should appear to your Excellency commensurate with your expectations, and the ample means which your care and liberality placed at my disposal.

"I feel the most particular pleasure in informing your Excellency of the obligations I am under to Mr Evans, the Deputy-Surveyor, for his able advice and cordial co-operation throughout the expedition; and, as far as his precious researches had extended, the accuracy and fidelity of his narration was fully exemplified. It would perhaps appear presuming in me to hazard an opinion upon the merits of persons engaged in a pursuit of which I have little knowledge. The extensive and valuable collection of plants formed by Mr A. Cunningham, the King's botanist, and Mr C. Fraser, the colonial botanist, will best evince to your Excellency the unwearied industry and zeal bestowed in the collection and preservation of them. In every other respect they also merit the highest praise.

"From the nature of the greater

part of the country passed over, our mineralogical collection is but small. Mr S. Parr did as much as could be done in that branch, and throughout endeavoured to render himself as useful as possible.

"Of the men on whom the chief care of the horses and baggage devolved, it is impossible to speak in too high terms. Their conduct, in periods of considerable privation, was such as must redound to their credit; and their orderly, regular, and obedient behaviour, could not be exceeded.

"It may be principally attributed to their care and attention that we lost only three horses; and that, with the exception of the loss of the dry provisions already mentioned, no other accident happened during the course of it. I most respectfully beg leave to recommend them to your Excellency's favourable notice and consideration.

"I trust your Excellency will have the goodness to excuse any omissions or inaccuracies that may appear in this letter. The messenger setting out immediately, will not allow me to revise or correct it. I have the honour, &c. &c.

"J. OXLEY, *Surveyor-General.*

"*To His Excellency Governor Macquarrie, &c. &c.*"



## OCCASIONAL AND FUGITIVE

## POETRY

WHICH APPEARED DURING THE YEAR.

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LINES, BY MR ROSCOE,

On receiving from Dr Rush, at Philadelphia, a piece of the Tree under which William Penn made his Treaty with the Indians, converted to the purpose of an Inkstand. The Tree had been blown down in 1812.

FROM clime to clime, from shore to shore,  
The war-fiend raised his hated yell,  
And midst the storm that realms deplore,  
Penn's honour'd tree of concord fell ;

And of that tree, that ne'er again  
Shall Spring's reviving influence know,  
A relic, o'er th' Atlantic main,  
Was sent—the gift of foe to foe !

But, though no more its ample shade,  
Wave green beneath Columbia's sky,  
Though every branch be now decay'd  
And all its scatter'd leaves be dry ;

Yet, midst the relic's sainted space,  
A health-restoring flood shall spring,  
In which the angel form of Peace  
May stoop to dip her dove-like wing



So once the staff the prophet bore,  
 By wondering eyes again was seen,  
 To swell with life through every pore,  
 And bud afresh with foliage green.

The wither'd branch again shall grow,  
 Till o'er the earth its shade extend—  
 And this—the gift of foe to foe—  
 Becomes the gift of friend to friend.

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### LINES,

Said to have been addressed by LORD BYRON to his LADY, a few months before  
 their separation.

There is a mystic thread of life,  
 So dearly wreathed with mine alone,  
 That Destiny's relentless knife,  
 At once, must sever both, or none.

There is a form, on which these eyes  
 Have often gazed with fond delight—  
 By day—that form their joy supplies,  
 And dreams restore it through the night

There is a voice, whose tones inspire  
 Such thrills of rapture in my breast;  
 I would not hear a seraph choir,  
 Unless that voice could join the rest!

There is a face, whose blushes tell  
 Affection's tale upon the cheek—  
 But pallid, at one fond farewell,  
 Proclaims more love than words can speak.

There is a lip, which mine hath prest,  
 And none had ever prest before,  
 It vow'd to make me sweetly blest,  
 And mine—mine only prest it more!

THE  
DIRGE OF TIPPŪ SULTAUN.\*

*From the Canāra.*

By the late Dr JOHN LLYDEN.

How quickly fled our Sultaun's state!  
How soon his pomp has pass'd away!  
How swiftly sped Seringa's† fate  
From wealth and power to dire decay!  
How proud his conquering banners flew!  
How stately march'd his dread array!  
Soon as the King of earth withdrew  
His favouring smile, they pass'd away!

His peopled kingdoms stretching wide,  
A hundred subject leagues could fill;  
While dreadful frown'd, in martial pride,  
A hundred droogs‡ from hill to hill.  
His hosts of war, a countless throng,—  
His Franks,§ impatient for the fray,—  
His horse, that proudly pranced along—  
All in a moment pass'd away!

His mountain forts of living stone  
Were hewn from every massy rock,  
Whence bright the sparkling rockets shone,  
And loud the vollied thunder spoke.  
His silver lances gleam'd on high,  
His spangled standards flutter'd gay,  
Lo, in the twinkling of an eye,  
Their martial pride hath pass'd away!

Girt by the Cavery's holy stream,  
By circling walls in triple row,  
While deep between, with sullen gleam,  
The dreary moat outspread below;

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\* Copied from the original, by a gentleman lately returned from India.

† Seringapatam.

‡ Hill Forts.

§ Frenchmen.

High o'er the portals jarring hoarse  
 Stern ramparts rose in dread array ;  
 Towers that seem'd proof to martial force ;  
 All in a moment pass'd away !

His elephants of hideous cry,—  
 His steeds that paw'd the battle ground,—  
 His golden stores that wont to lie  
 Through years of peace in cells profound,—  
 Himself a chief of prowess high,  
 Unmatch'd in battle's stormy day ;—  
 Lo, in the twinkling of an eye,  
 Our dauntless hero pass'd away !

His countless gems, a glittering host,  
 Arranged in ninefold order smiled ;  
 Each treasured wealth the world can boast,  
 In splendid palaces were piled.  
 Jewels enchased, a precious store,  
 Of fretted pride, of polish high,  
 Of costly work, which ne'er before  
 Were heard with ear or seen with eye

A hundred granaries huge inclosed  
 Full eighteen sorts of foodful grain,  
 Dark in his arsenals reposed  
 Battle's terrific flame-mouth'd train  
 How paltry proud Durgoden's \* state  
 To his in fortune's prosperous day !  
 In wealth, in martial pomp elate,  
 All in a moment pass'd away !

Before our prince of deathless fame  
 The silver trumpets shrilling sound,  
 Applauding heralds loud acclaim,  
 And deep-toned nobuts † shook the ground  
 His was the wealth by Rajahs won,  
 Beneath their high imperial sway,  
 While eight successive ages run,  
 But all, alas ! has pass'd away !

How swift the ruthless spoiler came !  
 How quick he ravaged none can say,  
 Save HE whose dreadful eye of flame  
 Shall blast him on the judgment day.  
 The noontide came with baleful light,  
 The Sultaun's corpse in silence lay ;

\* One of the ancient Mahratta heroes.

† A sort of large drums.

His kingdom, like a dream of night,  
In silence vanish'd quite away !

But say, to fence the falling state,  
Who foremost trod the ranks of fame ?  
Great Kummer, chief of soul elate,  
And stern Sher-Khan of deathless name.  
Meer-Sadack, too, of high renown,  
With him what chieftain could compare ?  
While Meer-Hussain virgins own,  
As flowery bow'd Meimmodeen fair.

Soobria, Mutte, Bubber-Jung,  
Still foremost in the crush of fight,  
And he whose martial glory rung  
From realm to realm for dauntless might  
Khan Jehan Khan, \* who stood alone,  
Syed Sahib next, himself a host ;  
The chief's round Indra's angel throne  
Could ne'er such mighty prowess boast

Purniah, † sprung from Brahma's line,  
Intrepid in the martial fray,  
Alike in council form'd to shine ;  
How could our Sultaun's power decay !  
Ah ! soon it fled !—how small a weight  
Of nitrous sulphur sped the ball,  
Outweigh'd to dust a sinking state,  
And bade our gallant Sultaun fall !

Yet, ranged in ranks around the throne,  
His brave Moguls would proudly say,  
Did e'er this earth one sovereign own,  
Thine, thine were universal sway.  
Careless of fate, of fearless mind,  
They feasted round in many a row ;  
One bullet, viewless as the wind,  
Amid them laid the Sultaun low !

Where, then, was Allah's far-famed power,  
The boasted inspiration's might ?  
Where, in that unpropitious hour,  
Was fled thy Khoran's sacred light ?

\* An officer who, in the most gallant manner, defended the breach at Seringapatam.

† Tippoo's minister, (afterwards minister of the present Rajah) who settled the country on the British obtaining possession of it.

Vain was each pray'r and high behest  
 When Rungah \* doom'd the fatal day !  
 How small a bullet pierced thy breast !  
 How soon thy kingdom pass'd away !

Amid his queens of royal race,  
 Of princely form, the monarch trod ;  
 Amid his sons of martial grace  
 The warrior moved an earthly god.  
 Girt with proud chiefs of prowess high,  
 How proud was his imperial sway !  
 Soon as the god of Colusaye \*  
 Withdrew his smile, it pass'd away.

Coorg, † Cuddapah, † and Concan-land, †  
 These princely lords of old renown,  
 To thee outspread the unwapon'd hand,  
 And crouch'd at thine imperial frown ;  
 Proud mountain chiefs, the lofty crest  
 They bent beneath thy scepter'd sway.  
 How dire the blow that pierced thy breast !  
 How soon thy kingdom pass'd away !

The sovereign of proud Delhi's throne,  
 That held the prostrate world in awe,  
 Stree-Munt, ‡ whose rule compels alone,  
 Mahratta tribes devoid of law ;  
 The Rajahs of the peopled world  
 Resign'd their realms in deep dismay,  
 Whene'er thy victor flag unfurl'd—  
 How soon thy kingdom pass'd away !

From far Singala's § region came  
 The Anglian race, unknown to fly ;  
 Revering Rungah's sacred name,  
 They dauntless press'd to victory.  
 Our lofty bulwarks down they threw,  
 And bade their drums victorious Bray ;  
 Then every earthly god withdrew,  
 Then fled Seringa's pomp away.

Where were the chiefs in combat bred ?  
 The hosts in battle's dreadful day !  
 Ah ! soon as Crishnu's \* favour fled,  
 Our prince, our kingdom, pass'd away !

Hindoo deities.  
 Mahratta chief.

† Chieftains tributary to Tippoo.  
 § Europe—chiefly England.

How vain is every mortal trust !  
 How empty earthly pomp and power !  
 Proud bulwarks crumble down to dust,  
 If o'er them adverse fortune lower !

In Vishnu's \* lotus-foot alone  
 Confide ; his power shall ne'er decay—  
 When tumbles every earthly throne,  
 And mortal glory fades away !

## ORIGINAL SONG,

BY BURNS.

*Here's to them that's awa.*

Here's a health to them that's awa,  
 An' here's to them that's awa !  
 And wha winna wish good luck to our cause,  
 May never good luck be their fa' !  
 Its gude to be merry and wise,  
 Its gude to be honest and true ;  
 Its gude to support Caledonia's cause,  
 And bide by the Buff and the Blue.

Here's a health to them that's awa,  
 An' here's to them that's awa !  
 Here's a health to Charlie † the chief o' the clan,  
 Although that his band be but sma' !  
 May Liberty meet wi' success,  
 May Prudence protect her frae evl ;  
 May tyrants and tyranny tine in the mist,  
 And wander the road to the devil.

Here's a health to them that's awa,  
 An' here's to them that's awa !  
 Here's a health to Tammie ‡ the Norlan laddie,  
 That lives at the lug o' the law !

\* Hindoo deity.

† Mr Fox.

‡ Lord Erskine.

Here's freedom to him that would read,  
 And freedom to him that would write ;  
 There's nane ever fear'd that the truth should be heard,  
 But they whom the truth would indite.

Here's a health to them that's awa,  
 An' here's to them that's awa !  
 Here's Maitland, and Wycombe, and wha does na like 'em,  
 Be built in the hole o' the wa' !  
 Here's timmer that's red at the heart,  
 Here's fruit that is sound at the core ;  
 May he that would turn the Buff and the Blue coat,  
 Be turn'd to the back o' the door.

Here's a health to them that's awa,  
 An' here's to them that's awa !  
 Here's chieftain M'Leod, a chieftain worth gowd,  
 Though bred among mountains o' snaw.  
 Here's friends on baith sides o' the Forth,  
 And friends on baith sides o' the Tweed ;  
 And wha would betray old Albion's rights,  
 May they never eat of her bread !

### SONNET,

TO WALTER SCOTT, ESQ.

Sweetest of minstrels, strike the harp again !  
 The northern harp ! Hie to St Fillan's spring,  
 And o'er its chords thy magic fingers fling,  
 Waking, as erst, its more than mortal strain,  
 Oh strike the harp, till the resounding plain,  
 The woods, the valleys, and the mountains ring  
 With the beloved notes, for they do bring  
 Ease to my world-tired spirit ; they restrain  
 The guilty murmurings of my care-vex'd heart ;  
 They raise its sinking hopes—they hush its fears—  
 Its ever-changing doubts they bid depart—  
 And, while they steep mine eyes in thoughtful tears,  
 Revive the music of wind, grove, and stream,  
 That, blended, linger on my memory like a dream.

P. G. P.

## ODE FOR THE 25TH OCTOBER.

(ACCESSION.)

This *was* a day of Jubilee,  
 A day to every Briton dear ;  
 But now, unmeet the sound of glee,  
 'Tis hallow'd with a silent tear ;  
 That " God would save," no more the prayer,  
 We only ask, that Heav'n would spare.

Oh, honour'd be that aged head,  
 White with venerable snows  
 That " four score years" have sternly shed ;  
 Oh, doubly honour'd be the woes  
 That left him but a shadowy throne  
 In storms, in darkness, and alone.

And yet, though " quench'd those orbs" in night,  
 Though lost that mind in deepest shade,  
 Celestial visions, pure and bright,  
 And angel visits duly paid,  
 May break on this dark wint'ry state,  
 And cheer the blind, the insulate.

Oh, God ! if such communion be  
 The solace of his loneliness,  
 If his high converse be with thee  
 And angels, who his visions bless,  
 Then who would such illusion break ?  
 Oh, who would bid such dreamer wake ?

Peace be with thee, afflicted sire !  
 Howe'er from reason's path astray.  
 May Heav'n still lend its pillar'd fire  
 To guide thee on thy lonely way ;  
 Fill thy soul here with thoughts sublime,  
 And loose thee in its own good time !



## TO THE MEMORY OF

RICHARD LOVELL EDGEWORTH, Esq.

*Ohi Dio ! perche son io la messaggiera.—Tasso.*

There is a mournful silence, that pervades  
 The weeping world, whene'er a great man falls ;  
 A smother'd grief, that feelingly invades  
 The seats of wisdom, and the festive halls,

The public walks, the active scenes of life,  
 The holy temple, and the hermit's cell ;  
 That chills or soothes the power of love and strife,  
 And marks the man is gone we loved so well.

The hero claims a great, a general grief,—  
 Loudly contrasting victory with death ;  
 The matchless valour of the glorious chief,  
 Who breathes with patriot soul his latest breath.

Thus, as he falls, ensures his country's good,  
 As joy and grief alternately appears,  
 And Pity weeps the god-like hero's blood,—  
 Enshrined and hallow'd by a nation's tears.

But thou, my Edgeworth ! soul with science fraught !  
 No dazzling halo shades thy recent tomb ;  
 No trembling nations, to obedience brought,  
 Feel, in thy conquering sword, the power of Rome ;—

No heart indignant, crush'd in early day,  
 Soothes, in inglorious case, his broken frame ;  
 Cursing the hour when Edgeworth led the way  
 To deathless glory, and immortal fame.

Yet shall the world confess, with poignant grief,  
 How much thy loss we bitterly deplore ;  
 Whilst memory brings a sad unkind relief—  
 To weep and mourn that Edgeworth is no more !

Friend of my father ! Genius hail'd thy birth.  
 Bestow'd a great, a comprehensive mind ;  
 Taught thee to scan the latent powers of earth  
 Nature and Art to fathom and combine.

No

truant fancy ruled thy precious hours,  
 Nor check'd the bias of thy lofty mind ;  
 Reason alone controll'd thy mental powers,  
 And made thy talents useful to mankind.

B.

## TYROLESE WAR SONG.

Come, Sons of the Hill ! leave the Chamois and Ibex,  
 For the harvest lies thick in the valley below :  
 Bavaria and Gaul they have banded their might ;  
 The slave and the tyrant are harness'd for fight.

Then, gather ye here, in the mist and the snow,  
 On the tower of your strength, o'er the heads of the foe—  
 Should the flash of your bright arms be seen from your shroud,  
 It will seem only lightning that breaks through the cloud.

Should the sound of your watchword be heard in the night,  
 They will think it the echo of winds from the height :  
 And the clash of your feet, as ye rush to the plain,  
 Will be heard as a winter brook swell'd with the rain.

And gather, ye eagles, ye wolves of the hill ;  
 The banquet is set, ye shall revel your fill :  
 Come down like the whirlwind, come down like the flood,  
 For the reapers are gone to the harvest of blood.



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## APPENDIX.

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# APPENDIX.

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## No. I.

### TRIALS AND LAW PROCEEDINGS.

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#### CRIMINAL TRIALS.

**ARTHUR THISTLEWOOD FOR SENDING A CHALLENGE TO LORD SIDMOUTH.**

*Court of King's Bench, Saturday,  
Feb. 7.*

This morning, the Attorney-General entered the Court, and took his usual seat. Soon after Lord Sidmouth was seated on the Bench; and on Lord Ellenborough coming into Court, he, as usual, addressed the Attorney-General first. "Mr Attorney-General, will you move?" The Attorney-General addressed the Court as follows:—

"My Lords—I am about to exhibit articles of the peace, to which the noble Lord on the Bench must swear before I address your Lordships."

The Attorney-General then handed the articles to Lord Sidmouth, who being sworn by Mr Barlow, stated that the contents of them were true.

The Attorney-General then proceeded:—"My Lords, I am to move your Lordships to exhibit articles of

the peace, on the part of my Lord Sidmouth, against a person of the name of Arthur Thistlewood. This application, my Lords, is made on the part of my Lord Sidmouth, and in these articles he states that he does not exhibit them from any ill will or malice towards the person against whom they are exhibited, but he exhibits them for the preservation of his person from violence, which he apprehends. I shall state to your Lordships the act that has been done by this person on which the apprehension is founded—it is a letter sent to his lordship, conveying a challenge to fight. My Lord Sidmouth has never seen this person actually write, but there is sufficient stated in the articles for believing that it has been sent by Arthur Thistlewood; but that there might be no doubt, the articles will be supported by the affidavit of a person who has seen him write and knows his handwriting, and swears he verily believed the letter in question to be his handwriting. My Lord Sidmouth, in the

articles, allude to former letters which he has received from this person, merely for the purpose of identifying, as far as he can, the hand-writing of the letter in question, to be the hand-writing of the person against whom these articles are exhibited. It is necessary that I should state, that some time ago Arthur Thistlewood was in custody in the Tower upon a charge of high treason, and whilst he was in custody, my Lord Sidmouth received a letter from him. That letter therefore he believes to have come from him, and the article states, that it was the same hand-writing as the present. He has also received several other letters, and he verily believes that the letter in question was sent by him, and he verily believes it to be the hand-writing of Arthur Thistlewood. I will read to your Lordships the letter in question: it is addressed to Lord Sidmouth, and it was received on the 3d of February, the day it bears date. It is dated from "40, Stanhope-street, Clare market." Now many of the letters which his lordship has received from this person since his discharge bear date from the same place. This letter is in these terms:—

' My Lord—Having addressed you repeatedly, with a view to procure redress for the injuries I have received from you, as Secretary of State, and my applications receiving no answer, I am compelled to seek redress in another manner. I therefore demand that satisfaction which as an injured man I am entitled to receive at your hands. I leave the choice of sword or pistol to your lordship, and place. As for time I shall admit of no delay, and an immediate answer is expected.

" I am, my Lord, &c.

" ARTHUR THISTLEWOOD."

" My Lord Sidmouth has felt, and if my opinion be taken, has most justly felt this proceeding a duty which he owes to the high station which he now fills in this country, and he has

thought it right to take the steps which he has now taken for the protection of himself from violence; and not only with a consideration towards his own person, but as a duty which he owes to his office, and to all other persons who may have the honour hereafter to be placed in that most important station.

" I have stated thus much shortly, my Lords, as I have felt it my duty, and I now humbly move that these articles be exhibited, which will be verified by the affidavit I have spoken of."

Lord Ellenborough.—Let the articles be read.

Mr Barlow then read the document, which was handed to him, to the following effect:—

" *In the King's Bench*—Articles of the peace exhibited by the Right Hon Henry Lord Sidmouth, one of his Majesty's Ministers, and Secretary of State for the Home Department, against Arthur Thistlewood, of Stanhope street, Clare-market.

" And the said Right Hon. Lord Sidmouth states, that he does not exhibit these articles from any malice or ill will towards the said Arthur Thistlewood, but for the protection of himself from bodily injury. That in the month of April last the above named Arthur Thistlewood was committed to the Tower of London on a charge of high treason, and during the time he was in the Tower as aforesaid he received a letter signed ' Arthur Thistlewood,' which he verily believed the said Arthur Thistlewood sent to him; and since the said Arthur Thistlewood has been discharged from the Tower, he has received several letters, dated from Stanhope-street, Clare-market, which he believes to be all of the same hand-writing; and that on the 3d day of February he received a certain letter, directed to him at his house at Clifford's-place, which was in the same hand-writing as the former letters he had received from the said Arthur

Thistlewood, and which he verily believes was sent to this examinant by the said Arthur Thistlewood; which letter is to the tenor and effect following, that is to say," &c. (Here the articles set forth the above letter, read by the Attorney General). "And this examinant believes that the said last-mentioned letter conveys a challenge to provoke and excite this examinant to a breach of the peace. This examinant further swears, that he has had no intercourse or communication with the said Arthur Thistlewood, except in his character of one of his Majesty's Principal Secretaries of State, nor does he know any other person of the name of Arthur Thistlewood, except the aforesaid Arthur Thistlewood above-mentioned; and this examinant verily believes that the said Arthur Thistlewood meditates and intends to him some great bodily harm; and he is not induced to exhibit these articles from any malice or ill will, but for the preservation of his life or person from violence, which he apprehends from the said Arthur Thistlewood."

Mr Barlow (to Lord Sidmouth).—"My Lord, do you pray these articles to be exhibited not from malice or ill will?"

Lord Sidmouth.—"I do."

Mr Barlow.—"And for the preservation of your life and person from danger?"

Lord Sidmouth.—"I do."

Here the affidavit of Rose Butfall, Esq. was read, in which he certified that the hand-writing of the letter in question was the hand-writing of Arthur Thistlewood.

Lord Ellenborough.—"Let these articles be filed."

After the Solicitor of the Treasury had moved for the attachment against Thistlewood, he immediately applied to the Sheriffs of Middlesex, who granted their warrant to Messrs Beaumont and Son, and D. Simpson, their

officers, who proceeded between three and four o'clock in the afternoon, to Thistlewood's residence, in Stanhope-street, Clare-market, took him and left him in custody at Mr Butler's, in the same street, being near his own dwelling. Mr Under Sheriff Smith waited on him on Saturday night, to know if he had any proposals of bail to offer, but none had been given at a late hour on that night.

### *Court of King's Bench, May 14.*

The trial of Thistlewood for an attempt to provoke Lord Sidmouth to fight a duel, took place this morning.

Soon after nine o'clock, the Attorney and Solicitor-General, Messrs Topping, Richardson, and Shepherd, Counsel for the prosecution, entered the Court. The defendant was conducted in previously by Gibbons, the chief tipstaff, and placed on the floor. He was attended by Dr Watson.

Upon the arrival of Lord Sidmouth, he was conducted by one of the attendants to the Bench, and immediately after Mr Justice Bayley took his seat.

A most respectable Jury was then sworn in, and upon the indictment being read, by the Hon. Mr Law, the defendant complained that he had not had sufficient notice of trial, or he would have been prepared to challenge the Jurors, and to have been provided with Counsel. The complaint was disproved by the proper officers, and the Court informed the defendant that the Jury having been sworn, it was too late to make an objection.

Mr Shepherd, jun. then opened the indictment, and

The Attorney-General shortly, but forcibly, detailed the facts of the case to the Jury. He assured them that the Noble Secretary of State, in



ing the present prosecution, was actuated solely by motives of public feeling, and that duty which he owed to the character of his high situation.

Henry Lord Viscount Sidmouth was first examined. He stated that on the 3d of February last he received a letter from the hands of his servant. (This letter appeared at the time when the noble lord first exhibited articles of the peace against Thistlewood, as given above.)

Thomas Page said he was butler to Lord Viscount Sidmouth. On the 3d of February last he received the letter produced by the twopenny post, and he delivered it to his lordship.

Mr Burton, one of the keepers in the King's Bench Prison, said that he was acquainted with the hand-writing of the defendant. He had inspected three of his letters to Lord Sidmouth; the first was an application for clothes, the next a request to be permitted to take the air, and the third was more general, and he only knew the substance. From these and other circumstances, he was enabled to swear that the letter produced was in the hand writing of the prisoner.

Mr Justice Bayley having inquired whether the defendant had any questions to put to the witness, the former replied that "it is of no use—the whole proceedings are illegal—I could have summoned numerous witnesses to shew that his testimony is false, and I could even have summoned the Solicitor-General in my behalf, but the Crown Office was closed against me."

Mr Justice Bayley.—"That, I presume, cannot be the fact; but if you can prove any part of your objection, you can state them by affidavit to the Court hereafter. You can even in the event of conviction, if you think you have been unjustly dealt with, move a Writ of Error to the proceedings."

The case for the prosecution being closed, the defendant was called upon

to rebut the charge, but he merely repeated his former assertion, that he was taken by surprise, and that the proceedings were illegal.

Mr Justice Bayley then addressed the Jury, and in a clear and emphatic manner, laid down the law, as applicable to three several counts contained in the indictment. His Lordship commented upon each of the counts of the indictment at considerable length, and left it to the Jury to say, whether the defendant was guilty of any or either of the charges they contained.

The Jury having consulted for a very few minutes, pronounced a verdict of Guilty upon all the counts in the indictment.

During the morning Thistlewood frequently laughed at the proceedings, and upon hearing the verdict he shook his head, and evinced strong symptoms of anger. These increased rather loudly while he was being conveyed from the Court by the tipstaff of the King's Bench.

Dr Watson, who sat beside the defendant during the trial, of which he took copious notes, and occasionally advised the defendant, accompanied him from the Court. Preston, and others of the same party, were in waiting outside to learn the fate of their friend.

He will be brought up for judgment next Term.

#### *Court of King's Bench, May 23.*

The defendant in this case, attended the Court this morning to apply for a new trial, on the grounds that, having been taken by surprise, and brought to trial suddenly, he had not been able to prepare for his defence, nor had he had an opportunity of summoning his witnesses, of whom he had sixteen all necessary to his defence.

The affidavits of the defendant, of his wife, and of Dr Watson, were put in, which stated these facts, and further, that having received notice that he would be brought to trial on the 14th of May, he on the day preceding, namely, the 13th, applied at the proper office to procure subpoenas for his witnesses, but was told it was a holiday, and that the office was consequently shut. He, therefore, could not subpoena a single witness, and was obliged to go to trial without defence. Upon these grounds he demanded a new trial.

Lord Ellenborough.—“It does not appear by your affidavits that you ever applied before the 13th, which you knew was a holiday, and when you knew the office would be shut.”—Defendant, “My Lord, my trial was brought on so suddenly, I had no notice at all till Saturday preceding the 14th.”

Mr Justice Abbot.—“You had a notice of more than 24 hours, in which you might have applied at the office for your subpoenas; a prosecutor is not bound to give more notice than this.”—Defendant, “My Lord, I was not aware of this, I did not know it was necessary to make my application at an earlier period than the 13th.”

Lord Ellenborough.—“You had notice of trial from the very day you withdrew your plea of guilty. Yet you deferred taking out your subpoenas till the day before the trial, which day you knew to be a holiday, and that the office was shut.”—Defendant, “My Lord, I did not know the office would be shut.”

Lord Ellenborough.—“Your affidavit does not state that fact; you went as it were to the nuisance. There is not the least pretence for this application. Has the Attorney-General named any day for bringing the defendant up for judgment?”

Mr Topping.—“No, my Lord; no day has yet been mentioned by my

learned friend.”—Rule for a new trial refused.

*Court of King's Bench, May 28.*

This morning the defendant in this case was brought up to receive the judgment of the Court, for sending a challenge to Lord Sidmouth, of which he was convicted at the Sittings after last Term.

The Attorney-General was in his place, and moved the judgment of the Court.

The defendant then addressed their Lordships in the following terms:—

“After my trial, my Lords, a trial without any witnesses on my part, I considered it a duty due to the public as well as myself, to protest against any sentence being passed upon me. I have been now nearly seventeen weeks incarcerated, and have been in an ill state of health during the whole time. I think my Lord Sidmouth declared that he had no wish to pursue me vindictively, and that he only brought the case forward for his own personal safety. He is perfectly safe, I can assure him, and my writing that letter had nothing to do with my being apprehended for high treason. It was relative to 1801. I have lost. His lordship is perfectly safe. As for bail, which was proposed to me the last time I was before the Court, it was so exceedingly heavy and great, that not a single person has offered to become security for me; and if I am to remain in prison until I can get bail, I may wait a long time, for I cannot get such excessive bail.”

The Attorney-General then shortly addressed their Lordships, remarking that the crime of which the defendant had been convicted, was a small one; and his attack upon Lord Sidmouth was one, to which every magistrate

might be open when discharging the important functions of his situation, if a proper example were not made. He, however, only asked for that punishment which justice called for, and the public peace demanded."

Their Lordships then consulted for a short time, and Mr Justice Bayley delivered the sentence of the Court in these terms:—"Arthur Thistlewood, you are here to receive the sentence of the Court, after a conviction upon an indictment for sending a challenge to the Right Hon. Lord Viscount Sidmouth, and upon the propriety of such a conviction there can be no doubt. You have complained that you were unable to procure witnesses, from not getting the subpoenas from the Crown Office; but upon a full examination of all the circumstances of the case, the Court have not been enabled to find out any just cause of complaint. When you were first brought up, you exerted the option you were entitled to of pleading either guilty or not guilty, and you thought fit to plead guilty. When you were brought up to receive the sentence of the Court, the Attorney-General permitted you to withdraw that plea, because, as you stated, (without any affidavit) you would be entitled to the consideration of the Jury as to your intent when you wrote that letter, and you did not for a moment dispute that it was yours. When the trial came on, you made no complaint whatever until after Lord Sidmouth was examined, and then for the first time you stated that you had been unable to procure your witnesses, as the Crown Office had been shut for the three preceding days. Every one knows that at such a time it would be shut, and as you received notice of your trial in the last term, you had plenty of time to prepare yourself.

"The Court having taken into its consideration all the facts of the case, cannot perceive your motive for having

thus acted; if you had any legal injury to complain of, the laws of the country would have given you a remedy; and, thank Heaven, we live in a country where justice is equally and impartially administered to the high and the low. For this offence, the Court doth order and adjudge that you be imprisoned in his Majesty's gaol at Horsham, in the county of Sussex, for the term of twelve calendar months, and that at the expiration of that period you do find security for your good conduct, yourself in the sum of 300*l.* and two sureties in the sum of 150*l.* each, and that you be further imprisoned until such securities are made."

LIEUT. DAVID DAVIS FOR SHOOTING AT LORD PALMERSTON.

*Old Bailey, May 8.*

Lieutenant David Davis was brought to the bar to be arraigned, and it was not without considerable difficulty that he complied in pleading "Not guilty to the charge against him." He said that his sufferings were so great, that they must be known before he was put upon his trial. He had been turned from his regiment like a madman, and all the world knew it. He added, "If I am acquitted of this charge, I must put an end to my existence."—The whole address was incoherent, and it was almost impossible to collect its meaning.

The prisoner was then put upon his trial, and the indictment charged him with having on the 8th of April last, wilfully shot at Henry John Temple, Lord Viscount Palmerston, with a certain pistol, loaded with a bullet and gunpowder, with intent to murder him.

Lord Viscount Palmerston, Secretary at War, proved that, on the 8th

of April last, he attended at the War-Office at about one o'clock. As he was ascending the stair-case, a pistol was fired at him. He did not observe who it was that fired it, but he felt himself wounded in the back. He continued to ascend the staircase, and sent for a surgeon. He had never seen the prisoner until the transaction alluded to.

Cross-examined.—In June, 1816, he heard that there was a person in the 62d regiment, of the name of Davis, who was insane. He had only ascended a few steps, and some one behind him fired a pistol. Had the pistol being loaded with powder and ball, and had it taken the proper direction, it must have gone through his body. The distance between the prisoner and himself was very inconsiderable. The ball struck the middle of the back obliquely. When the surgeon arrived, he did not immediately examine the wound, his lordship being particularly engaged in business. He received a contusion from the ball on his body, but soon recovered from the blow.

Re-examined.—The ball only perforated his clothes, and grazed his skin. It penetrated his braces and his shirt. This was his only reason to conceive that the direction the ball took was oblique.

William Hoare was a messenger on the 8th of April last at the War-Office, and at almost one o'clock saw Lord Palmerston come up the steps through a glass-door. He followed Lord Palmerston up the steps, and immediately saw upon the staircase a flash of fire, and heard the report of a pistol. He heard Lord Palmerston give a heavy groan. Witness immediately rushed forward, and caught hold of the prisoner, who immediately exclaimed, with an air and a grin of satisfaction upon his countenance, "I have killed him." The prisoner had

a pistol in his right hand, and afterwards said, "You know me, and you know my wrongs;" witness said, "I do not. Who are you, and what have you done?" The prisoner immediately exclaimed, pointing upwards, "Is not that Lord Palmerston?" Witness replied that it was; and the prisoner said, "Then I have shot him, I have killed him." Witness took hold of the prisoner's arms, and the latter let the pistol fall upon the ground; witness took it up, and the barrel was very warm, as if it had been recently fired. He asked the prisoner if he had a second pistol, and he replied, "No, upon my honour, I have not!" Witness here produced the pistol. It was a small screw pistol.

Thomas Scowercroft, a private in the 2d regiment of Life Guards, was on duty on the 8th of April last. He recollected seeing the prisoner go through the gateway of the Horse Guards, and go into the War-Office. He saw Lord Palmerston go in afterwards, and at that moment he saw the prisoner's arm raised, and the pistol go off.

Thomas Birr, Lieutenant-Colonel of the West Middlesex Militia, was, on the 8th of April last, in company with Mr Hoare. He corroborated the statements of the previous witnesses. He heard his lordship utter an exclamation the moment after the report of the pistol, as if he had been badly wounded. Witness said afterwards to the prisoner, "How could you commit such an act?" and his answer was, "He has killed me."

Henry Emmet, a clerk in the War-Office, upon the alarm being given, immediately went out upon the first landing-place, and found a small bullet; witness produced the bullet in Court. Two or three minutes had elapsed, after the report, before he found the bullet. It was not warm

then. He sent the bullet in to Lord Palmerston by one of the messengers; that messenger was not in Court; the ball was not returned to witness immediately.

Mr Astley Cooper was called in to see his lordship on the day in question. When he entered the office, he found his lordship writing, and he begged him to take a chair until he had finished. After having finished what he was about, witness proceeded to examine. There was a large hole in his coat, a smaller in the waistcoat, one in the brace, the shirt was torn, and there was a bruise upon the right side of the back bone, about as large as the extremity of the little finger, and was surrounded by the appearance of a larger bruise about the size of half-a-crown. At first he could not be sure whether a bullet had not entered, but afterwards he discovered that it was only a contusion. He was decidedly of opinion that the smaller bruise was owing to a ball.

William Gilmore, an officer of Queen-square, went to the prisoner's lodgings, at 32, George-street, Chelsea. The room door was open, and he found a box, which was locked. The next day he obtained the prisoner's key, which opened the trunk. It contained various papers, a pistol, some gunpowder, and bullets. Among the papers was a copy of the trial of Beltingham, for the murder of Mr Percival.

Wm. Lamb, a pawn-broker, at Grosvenor-row, Chelsea, proved that, on the 16th March, prisoner pledged two pistols at his shop, and redeemed them on the morning of the 8th April. They were two small-screw pistols.

The prisoner was called upon for his defence. He said that he wished to communicate what he intended to be known to his Counsel.

told by Mr Justice Bayley

that that was not allowed, the prisoner observed that he had been dismissed from his regiment being unfit for any thing, and witnesses would be produced who would tell the Court his sufferings, and prove his insanity.—With respect to the present transaction, he had been refused a personal communication with his lordship, and had written many letters to Lord Palmerston, to which he had received no answer. He had suffered, and was now suffering great torture. He was an innocent man, and did not deserve this treatment. He should have wished the circumstance to have been inquired into in a private manner. He had no friends to substantiate the charge he had against Lord Palmerston. He was himself descended of a good family, and he had secret motives which induced him not to explain himself on the present occasion.

Mr Justice Bayley.—“Have you any thing more to say?”

The Prisoner.—“Why should I be crucified in this manner, when the business might be settled at once? I knew I should not kill his lordship by firing at him.”

The witnesses on the part of the prisoner were then called, and the ladies were requested to go out of Court.

Francis Rogers Pasloe was a surgeon, and knew the prisoner when he lived at Pimlico, in 1816, and was called up to visit him. Witness proceeded to examine him, and found that he had committed a dreadful mutilation on a part of his body with a razor. He was then decidedly insane.

Cross-examined.—The prisoner was much exhausted by loss of blood. He proceeded to dress the wound. The prisoner was very sullen during all this time. On the following day witness asked him whether his family should not be informed of it, or his friends. The prisoner said he had none, and did

not wish any one to know of it. He assigned no reason for the act he had committed. On a future visit he found him talking about visionary sufferings.

Examined by the Court.—Had been in practice sixteen years, and had had from ten to twenty patients of the same kind as the prisoner since the commencement of business. In the full conviction of the prisoner's insanity, he cautioned the people of the house in which he lodged, and recommended his removal to the York Hospital.

Mrs King proved that the prisoner lodged at her house in Pimlico, for three weeks, in April, 1816. During the time he lived with her, she was led to think he was perfectly insane, and she formed that opinion from his manner and conversation, but more from the former than the latter. The prisoner afterwards went to York Hospital, but she did not know how long he remained there. Witness could never do any thing to please him, and she had no doubt he was insane. At times he would prefer her servants attending upon him, and sometimes witness. He very frequently gave contradictory orders as to his diet.

S. Maud, who lived at Pimlico, proved, that in November, 1815, the prisoner lodged with him, having just arrived from abroad. The prisoner remained about five months in his house. During the time the prisoner was in the house, from his conduct and conversation, he had no doubt, from the very first day, that the prisoner laboured under a mental derangement. On the first day, he admired some bamboo chairs like a child. He said he would go to bed, and take his dinner in bed. On another occasion he sent witness to an optician's to fetch a loadstone which he had bought, he said, for 15s. When he got to the shop, witness found the loadstone came to five guineas. When the prisoner had got possession of the stone, he asked

witness whether it would draw his hat off the table. There were some passages near witness's house, and the prisoner asked whether the stone would draw the people through the wall. At another time the prisoner wanted to make stars with the loadstone, and asked witness if it were possible. He was sometimes affectionate, and sometimes would treat witness with the greatest contempt. The prisoner sent for a lawyer to draw up a statement to the Duke of York, but the lawyer could make nothing of it. The conclusion of witness's mind was that the prisoner was deranged, although not outrageous. The prisoner left his house at witness's desire.

George Vicary lived at 33, George Street, Chelsea. The prisoner lodged at his house, and came in April, 1817; he remained there until the present occurrence. The prisoner was very irascible; and at one time he was in a very great rage because his daughter had not carried a tea-spoon up. Witness thought he had something particular on his mind. In general he was very civil, but was at times in a great rage.

Mr Box, a surgeon, considered the prisoner on certain points in an insane state of mind, and he had seen him almost every day. He was particularly insane on the point of his regiment. He frequently made use of this expression—that he was borne down by the oppressive hand of the Almighty. On the point of religion he was also deranged. He had no doubt but the derangement was unfeigned.

The Rev. Salisbury Cotton, the Ordinary of Newgate, had had frequent opportunities of seeing the prisoner, and believed that upon certain points he was insane. He thought incorrectly of this crime of which he had been guilty. He always kept himself aloof from all other prisoners, and said that he was urged by the spirit of God to commit this act. The prisoner

was a Fatalist, and considered himself impelled by an irresistible power.

Mr Brown, the keeper of Newgate, proved that the prisoner was insane when he entered Newgate on the 18th of April last.

Mr Justice Bayley summed up the evidence to the Jury at considerable length.

The Jury having retired for about a quarter of an hour, returned a verdict of—Not Guilty, on the ground of insanity.

The prisoner, during the whole of the trial, which occupied nearly six hours, conducted himself with great propriety and calmness.

**JACOB HINCHCLIFFE AND JOSEPH BAKER, FOR RIOTING TO RAISE THE RATE OF WAGES.**

*Cheshire Assizes, August, 31.*

Jacob Hinchcliffe was indicted for having on the 14th July, and on divers other days, at Stockport, unlawfully, &c., endeavoured to raise and create insurrections, riots, and tumults, for the disturbing the king's peace, &c., and for having unlawfully, wickedly, and maliciously, incited divers inhabitants of Stockport and neighbourhood, unlawfully, riotously, and tumultuously, to assemble, to disturb the peace, &c. The second count charged the defendant with unlawfully, maliciously, &c., intending again to disturb the peace, &c., and to cause other insurrections, &c. Two other counts charged the offence in different ways.

Mr Thomas Gartside, examined by Mr Cross.—I have a factory at Stockport, for the purpose of weaving by machinery. I have nearly 300 hands, including spinners and weavers; only one part, however, are in employ. On the 14th July, about 36 quitted the factory, but two or three remained. I

had then sent to Burton on Trent, as they had given me a week's notice of their intention to leave me—they said they would leave me if their wages were not advanced. They did not come to me to signify their intention in a body; but one after another in rapid succession. I brought six girls from Burton to work for me in the factory, where they still are. I found them a place of abode; but they were much abused there by the mob, and I got them other lodgings in the factory. I durst not have taken them out of the factory, for I found it difficult to use sufficient precaution for their protection. They were abused in the streets, and cruelly treated by the mob. On Tuesday, the 14th July, the six girls from Burton arrived by the coach, about four or five o'clock in the evening. My man took them to his own house. A mob afterwards collected there, and at the factory. This was between five and six o'clock. There were hundreds and thousands assembled. They surrounded the factory. At this time my carter came down the street with a load of cotton; and I soon afterwards heard they were beating him. I ran to his assistance, and found Hinchcliffe had hold of him; they were scrambling together; I seized Hinchcliffe by the collar, and took him away. He cursed and swore violently, threatening to beat the carter. The riot continued till midnight, and the mob threw stones at the girls through the windows. The whole mass was in motion, and Hinchcliffe was amongst them. On the next evening, the 15th July, at the request of the magistrates, I took the girls to a lodging-house. I was in the factory. The mob began to kick at the house-door in which were the girls. I sent two men to try to keep them off. The house is in a back street, which was quite filled with people. Hinchcliffe came down the street, with the others,

in procession, with a chair, carried by men, and a blind fiddler. There was no one in the chair, and the causeway was very narrow. They made a circle before me, including me in it. Hinchcliffe had a stick, and assisted in forming the ring. The cotton girls then sung a song, which they call the "Knob-stick" song, intended to ridicule those who are not what they call fair workmen, that is, those who work at the customary prices, and do not quit their masters' employ. It was in derision of those who continued at work that this song was sung. Hinchcliffe was very busy amongst them. After the song was finished, they began to throw stones at me. I stood pretty high in the street, and several of the stones flung at me broke the windows over my head. My own men were much abused and kicked. They then shoved me against the wall, and when it grew dark, I escaped with great difficulty from them. They got hold of my collar to throw me down, and when my back was turned, they struck me with their fists. A man threw a large stone at me, which compelled him to use both hands, but being quite close to me, it did not materially hurt me. When I got in the main-street, being a special constable, I pulled out my staff, kept the mob back, and cleared the way. I took refuge in a shop, the windows of which they broke, and I remained there till the magistrates fetched me away. I saw one of the cavalry thrown from his horse, and much abused. The stones were fetched from a distance by the boys, and placed in the streets for the use of the men. Whenever a gentleman or a soldier appeared, volleys of stones were discharged. I heard them say, "D—n him, we've done for him;" they said they would pull the house

down unless I was delivered up. They were told I had escaped the back way, when they exclaimed, "We've finished him; he won't watch his factory to-night again." I had been obliged to watch the factory several nights. I saw Hinchcliffe arranging the people; he was in the ring; no one took a more active part than him; he was present when Mr Harrison, the magistrate, read the Riot Act.\* When the mob were opposite the cottage where the Burton girls lived, they broke the window-shutters, forced open the windows and doors, and were upon the point of entering the house, when the cavalry came up. I had placed four men in the house for their protection, one of whom gallantly ran away, and the rest were saying their prayers, expecting to be murdered, when Mr Howarth's cavalry arrived. The girls were screaming in the house all the time. These outrages were renewed again on the Thursday. On the Wednesday evening, some of them said, "Mr Harrison's a gentleman, as he had promised that he (witness) should send back the girls in the morning." They then gave him three huzzas! I do not believe, however, that Mr Harrison had made any such promise. On the 16th, the mob assembled to attack the girls going to work, but I had before taken them to the factory. There were some hundreds there by five o'clock, but I did not see defendant there; I was obliged to stop the factory, one of the girls being hurt when at work by a stone, and the others run away from their looms. At noon I saw the prisoner; about one o'clock he was haranguing the people. I heard him mention my name; he said, "D—n Gartside; he atop me on Tuesday night, but I'll pay him off yet." I

\* By the law as it now stands, if a magistrate be assaulted whilst reading the Riot Act, and prevented from proceeding therein, the offence becomes capital, and is punishable with death.

† The Earl of Chester's Legion, Stockport troop.



went up to him and said, "How dare you say so, you villain!" As I passed him, three stones were thrown at me. When I got to the factory, I found the mob just breaking into the factory yard. The defendant was not more than six yards from me. They saw me, and went back again. They threw stones at the factory, and did not disperse till they had broken all the windows. The 13th dragoons then came up. The mob said they would burn the factory down that day, if the girls were not sent off by nine o'clock. On Friday, the 4th day, the 17th July, a great number again collected about dinner-time. The soldiers were much abused, and stones were thrown at them and the constables. A young man was knocked down close to me: he was struck on the head with a stone, and was delirious a night or two. I met the defendant, and cautioned him; telling him he had behaved very ill; that I had remarked his conduct, and I should notice it. He said, "You are a d—d lying rascal; I never brought a fiddler!" He went away, threatening me violently. I had given the mob no offence whatever—indeed I was rather a favourite with the men; they said I was the best master in town; and my hands would not leave me, but they said they were intimidated, and dared not stop. I told the girls, if they left me, I would get fresh hands, and never employ them again.

Cross-examined by Mr Williams.—I had frequently seen the defendant before the disturbance: he is a dyer, and lives in Heaton Norris, I believe. On the Tuesday, I saw him. I cannot tell why he seized the cart; nor did I hear him say it was for driving negligently. The cart certainly did go sooner away on account of the crowd, and the first horse was a fine spirited animal. The cart was drawn up opposite the window of the factory, as it was loaded high, so that no one could

see inside that part of the building. I saw the defendant at night; he was among the rest, making a noise. I did not see him throw any stone. The chair was brought down between 8 and 9 o'clock. I was alone most part of the time. I had sent for assistance, but no one durst come. I was not seriously hurt; but I was completely in the power of the mob. They always attacked me covertly; and attempted to throw me down several times. I stood on the curb-stone of the foot-road; and when they came towards me, I pushed those next to me, they pushed the others behind, and away they went down together. Great numbers were on the floor at once. I did not cause Hinchcliffe to be apprehended till the week after the disturbance—about eight days, perhaps. I had no inclination to seize any of the mob, had the disturbance ceased. I asked his master his (defendant's) name; he said, Jacob Hinchcliffe, and that he was at work regularly. The dyers, as a body, have not struck. I will swear to defendant's person, I saw him so repeatedly.

To questions by the Court.—At this time girls were getting from 12s. to 15s. a-week; that is, those from 12 to 14 years old—the looms are worked by steam. The wages may vary as to stoppages. The weavers would have 1s. 8-cut more, which is half as much again as the wages they had. We gave them 2s. a-cut, and they wanted 3s. I had six young men working at the looms, but it is not a man's work. Many men at three looms will get 27s. a-week! There was an amazing number of women and children in the mob.

Anna Pemberton, examined by Mr Attorney General.—I saw the mob at Mr Gartside's mill, on the 15th July, about eight o'clock in the evening. The Burton girls lived next to me; there was only the street between them and the factory. I saw a great crowd

there. They were opposite to me; the prisoner snatched a small whip, and made a ring for the fiddler. I saw no stones then thrown. My husband was very ill used. The house where the Burton girls were, was much injured; the windows were broken, and the shutters destroyed. I know Hinchcliffe very well; he was the man who made a ring for the fiddler.

Cross-examined by Mr Williams.—It was half-an-hour after the fiddler was gone, that the riot began. I cannot tell who threw the stones. The mob sung a song about the "Poor little Sweep," and at the end of it there was something about "The Knob Stick."

John Thomson, examined by Mr Cross.—I saw the riot on the 15th, and the windows broken. I am a machine maker. I was coming up when the cavalry came. I was sent to fetch them; the mob were just breaking into the Girls' Cottage. I saw the defendant there, when they had broken the windows in. They were pushing one among the other in the front of the house where the girls were. The defendant was about six yards from the house. There was a very great crowd, but I noticed him, for I knew him before. I saw the prisoner present at the riot on Thursday, a little before one o'clock; he was talking with Mr Gartside, and put his hand before his face. The defendant was talking hard then, and I heard him call Mr Gartside a d—d rascal.

Cross-examined by Mr Williams.—They were pushing amongst the crowd, but I saw him do nothing else. I did not see him throw any stones.

The above evidence was further confirmed by the depositions of the Carter and overseer of the works.

Mr Williams addressed the Jury in defence of the prisoner, and called his master to prove, that he was a steady, good workman, but that at the time

of the riots, he was a little more absent than usual, though he worked every day during them.

The Chief Justice then summed up the whole of the evidence to the Jury, saying, among other things, "You And this lawless mob proceeding to break into a house where some unprotected females had fled for succour and shelter. God knows, gentlemen, what might have been the result had they succeeded in their attempts; the defenceless inmates were shrieking and calling for assistance, whilst the men who were in the house were upon their knees, imploring the protection of Heaven! The object of the mob is clearly defined: it was to compel Mr Gartside to discharge his servants, and intimidate them from working. The system, then, is seen confined not to the place in which it originates, but spreading amongst all classes of manufacturers; one common spirit predominates; and the defendant, a dyer, without any possible cause assigned, is seen co-operating with the others, to compel the masters to accede to their demands. Gentlemen, it is impossible to look without apprehension at the consequences which may result from these conspiracies, if they be not speedily stopped. An alarming riot has taken place, which might have terminated in fatal consequences, if the aid of the military had not been called in. Stones are brought from a distance by boys, for the men, to assist in the work of mischief; there is an union amongst the whole of the manufacturers, which is preserved by all."

The Jury immediately found the prisoner guilty.

Joseph Baker was also found guilty of having committed the same offence, but to a much less degree of criminality.

The Chief Justice, in passing sentence, addressed the prisoners, and ob-

served, "there never was a case of greater aggravation before a Court. Scarcely a year has elapsed, when persons in your situation, experiencing distress from causes that were unavoidable, and could not be controlled, received the prompt assistance of the wealthy portion of the community; and now, when prosperity again begins to shine on the manufactures of the country, you avail yourself of its re-appearance, to extort from your masters such wages as are not required by present circumstances. It appears from the testimony of Mr Gartside, that even girls can earn from twelve to fifteen shillings per week, boys also as much, and men twenty-seven shillings per week. It cannot be doubted, but what there is ample work for all those inclined to honest industry; so that a man who has two or three children, may average a weekly sum far superior to what many families enjoy, placed in very different circumstances in life, and infinitely above that remuneration which is given to those who hazard their lives in the defence of their country. The wages demanded by the refractory, are more than the country, at this early period of its returning prosperity, can afford; but to obtain them, a common cause is made. The country is under great obligations to Mr Gartside; the law must protect him, by making an example of you; for on every occasion implicated with the riots, you are found foremost in the conspiracy. You have had a very narrow escape; for I state it as my decided opinion, if you had been indicted for a capital offence, and been convicted, it would have been our duty to have left you for execution. The evidence has satisfactorily proved, that you were engaged with a mob in attacking a dwelling-house, which was about to have been demolished; for the shutters were forced open, and the

door destroyed; but fortunately for those defenceless women within the house, you were prevented executing your desperate project. The breaking into a dwelling-house, with intent to commit an injury therein, is a capital offence; and this fact has been proved to you. You, I am sorry to observe, have also proved, that an Englishman could be found base enough to threaten the safety of a woman; for, at the moment when the women were rescued from their danger, they were praying to Heaven for protection from your designs. Taking, therefore, all the circumstances of your case into consideration, the Court adjudge, that you be *imprisoned in the common gaol for the term of three years, and pay a fine of one shilling*. This sentence is mercy to you; for within its walls you will have time to reflect and repent on your past depravity.

"With respect to you, Joseph Baker, there are features in your case not so aggravated as in that of the other prisoner; but it may, perhaps, be a seasonable caution to you, and to others, to know, that in the riot which disgraced the city of London in 1780, many persons suffered the dreadful sentence of the law, against whom no other facts were proved, than that they wore the cockade of the mob, or were heard shouting. If, therefore, in the riots in which you have been engaged, a capital offence had been committed on any of the days specified, your life would now have been forfeited to the offended laws of your country. The Court, distinguishing between your case and that of the prisoner Hinchcliffe, sentence you to imprisonment in the common gaol for the space of *one year, and that you also pay a fine of one shilling*."

On the sentence being passed, Hinchcliffe appeared deeply affected, and shed abundance of tears.

## JOSEPH SMITH AND WILLIAM PHILLIPS, FOR COINING.

*Shropshire Assizes, August 6.*

This day, Sir William Owen, the counsel to the Mint, made a motion in Court, that the recognizances in this case should be discharged, and the prisoners liberated; and stated, that the Mint considered it as not sufficiently strong to convict them; but Mr Hinchliffe, the attorney for the prosecution, opposed the motion, on the ground that the prosecutor and witnesses were then prepared to prefer a bill of indictment; and he conceived the case so strong, that the ends of public justice would not be answered, unless the prosecution was carried on; and Mr Pugh, the Clerk of Assize, having stated, that he considered the prosecutor would not be discharging his duty in consenting to the recognizances being discharged, the learned Judge would not grant the motion for the Mint; and the bill of indictment was accordingly preferred. The Grand Jury, (of which Lord Viscount Clive was foreman) thought it a very proper prosecution, and were not at all satisfied with the conduct of the Mint in declining it, and were much pleased with the energy with which Mr Hinchliffe had carried it on; and stated, that he was entitled to the thanks of the county for the manner in which he had conducted it. The Mint having declined to pay the expence of a prosecution against the prisoners, the judge directed, that if the rewards allowed by Act of Parliament were not sufficient to discharge the same, the prosecutor should have a liberal allowance from the county rate.

In the calendar, Joseph Smith, aged 41, a farmer of Hales Owen, William Phillips, sen. aged 50, a steel toy maker, of Birmingham, and William Phillips, jun. aged 20, a shoemaker, stood

charged on suspicion of high treason, in having counterfeited the current coin of this realm. Smith was, however, admitted king's evidence, and the two Phillips's were indicted for having in their possession, without lawful excuse, a die made of iron or steel, bearing the impression of the current coin of the realm, called shillings, at Houghmore, in the parish of Hales Owen, &c. This important trial came on soon after eight o'clock on Saturday morning last. The first witness called was

Joseph Smith, (admitted king's evidence,) deposed, That he was a farmer at Hales Owen. About two years ago, two persons named Bradley and Newnham, rented an upper room and cellar in his house. In the latter was placed an iron machine, which witness knew was used for the purpose of coining 3s. pieces. They carried on this work there about twelve months. Newnham died about Michaelmas, and at Christmas his companion, Bradley, took all the things from witness's house, except the iron press, since which time he had not seen him. In September last the elder Phillips (the prisoner) came to witness, saying he lived at Birmingham, and had been informed that witness had a press in his house. He hesitated to reply at first, through fear, but then told him it belonged to Bradley and Newnham. Prisoner then said, that he knew Bradley, and that he was transported. Witness came to terms with prisoner for the use of the press and cellar. Prisoner and his son came to his house in the beginning of April, and both immediately went down into the cellar to work, where he followed them soon after, to ask them for money in part of rent; saw them at work; went as near as he could for the fly of the press, which was nine feet long; asked the elder Phillips for the money, who, without quitting his work, told him, if he would come to his house in

Sally-street, Birmingham, he would give him some. He stopped in the cellar perhaps ten minutes, and saw their process; the elder Phillips sat down, and put round plain pieces in under the press; he saw them after they came out; they appeared then to have impressions on them like the head and reverse of a new mint shilling, and of that size; he could not swear positively that they were imitations of a shilling; he thought they were, from whence he stood. When the pieces were put in by the old man, the young one turned the press round, and then they were stricken out by something which the old man had in his hand—they fell out on the block of the press; the operation was very quick. It was in the morning when he saw them at work. The cellar was dark; there was a window in it, bricked up, with the exception of a small hole at the top, which was occasionally stuffed with straw; if open, a person looking through from the outside might discern the persons at work; they worked by candle light. Witness left them working, to pursue his own business. Neither himself nor his family, to his knowledge, ever worked at the press by themselves. Witness was requested by the younger prisoner to assist him. The press was broke up last April. Witness was then present, and assisted the younger prisoner. He afterwards went to Birmingham for the rent; the elder Phillips gave him a pound in silver. Witness had never examined any of the dies, nor did he know what the prisoners did with the pieces they made. Upon being asked, Whether he expected any reward for giving his evidence? prisoner said, "I first gave information to Mr Woodcock (the magistrate at Hales Owen) on the 9th of May last; I voluntarily confessed to him; I do not know, upon my honour, (at this expression of witness there was an involuntary laugh in the court) upon my word, upon my

oath, that there is a reward for convicting the prisoners; I do not know that I shall be free from punishment by giving evidence to convict the prisoners; but I have been told I shall by the elder prisoner, and before that, I have heard such a thing said in my own country. I told the magistrate I would confess, before I knew that I should be free for so doing."

Elizabeth Smith, wife to last witness, corroborated the above evidence in the strongest manner. In May last, the younger Phillips (then at the bar) brought a message from his father to witness's husband, who was not then at home. He (prisoner) said, that he had heard there was a screw loose, (meaning, that something respecting their transactions had transpired;) and he thought that his father (William Phillips) would remove the press to Brierly-hill.

Joseph Smith, son of the two preceding witnesses, deposed, That he recollected the prisoners coming to his father's house in April; but had never seen them at work in the cellar. Witness, at his father's desire, buried the fly of the press in a field, on the 7th of May last.

Anne Walker, sworn; stated, that she lived about one hundred yards from Smith's house; that one morning, three or four weeks before his apprehension, she went to his house to borrow some bread; hearing a noise in the cellar, on coming out she kneeled down at the cellar window, which was stopped up; but there were a few bricks out. Through this hole she distinctly saw the prisoners at work. (Here she described the process.) She was sure the men she saw there were the prisoners at the bar, having seen them before.

Joseph Grainger deposed to having searched Smith's house for some fowls, in consequence of an information. He then discovered a press, fixed on a block, by the side of which he found

14 white blank pieces of metal, about the size of a shilling, five impressed imitations of 3s. bank tokens, and one of 1s. 6d. There were many droppings of candle in the cellar, and the press had been recently oiled. The hole in the window was stuffed with straw. Witness took Smith into custody, and afterwards apprehended the prisoners at the bar at Birmingham.

When going to take the Phillips's before the magistrates next day, the elder Phillips called witness, and said he wished to speak to him. He said to witness, "If you will admit me king's evidence, I will tell you a good deal." Witness said, "About this?" Phillips said, "About that, and a good deal more." Witness, on being cross-examined, stated further, that he apprehended Smith on the 9th of May; that both he and Mr Woodcock had conversation with Smith that evening; but he never had told Smith that he would have a reward for convicting the prisoners; in fact, he did not then, or now, know of such a reward; the first he heard of it was from the elder Phillips, after he was brought to prison. Smith and Phillips's were all committed to prison. He did not think himself entitled to any reward on this occasion, nor had any such motive actuated his conduct.

Several other witnesses were examined, whose depositions tended forcibly to confirm the above evidences.

Robert Morris, silversmith, Shrewsbury, was then sworn, and produced his test. Mr Morris examined the shilling found on Phillips at Birmingham; thought it was a mixture of copper and brass—it was so in his judgment. He next examined the shilling found in the press at Smith's; thought it had more copper in it than the first, but it was also a mixture of copper and brass. The shilling found by Willets was the same as the last. [It did not appear in evidence that either of these pieces was milled; but

we believe two of them were.] He believed the white appearance of the pieces to arise from a strong silvering, melted into a liquid, which might either be applied by laying the liquid on the pieces, or by boiling the pieces in the liquid, and this might also be done either before or after the pieces were stamped. He examined the blank pieces, and said they were of the same metal as the two last-mentioned shillings. Thinks the blanks produced must be silvered again, either before or after stamping, or else they would not be passable when stamped. Believes the milling of pieces to be a second process. Believes certainly, that the plain pieces produced could not pass in their present state, without some other process besides stamping. Believes that those impressed which had been produced, had undergone this further process, and might have been brought back to the cellar where they were found, by the persons who used that cellar. With respect to plated goods, he said, in those of English manufacture, the silver was put in a body on copper. French plated goods were differently manufactured.

This closed the evidence for the prosecution. No witnesses were called on behalf of the prisoners.

The prisoners were asked, if they had any thing to say in their defence, when they replied, that they should leave it to their Counsel. Mr Hart had, on their behalf, previously cross-examined the several witnesses, the result of which will be found narrated in the condensed statement which we have given of their respective depositions. No further argument took place on either side.

The learned Judge then stated the law, as it related to the case, and recapitulated the whole of the evidence to the Jury; and, in his subsequent address to them, forcibly animadverted on the peculiar circumstances under which the evidence of Smith, (the

accomplice) and his family had been given, observing, that unless the Jury were fully satisfied of its general truth, by the corroboration it received from the testimony of the other witnesses, it would be their province to credit it with great caution. But if, from a consideration of all the evidence which had been adduced, they were completely convinced of the guilt of the prisoners, their verdict must be given accordingly. The lives of the prisoners were, however, in their hands; and should they have any reasonable doubt on the subject, it was their duty to give the benefit of that doubt to the prisoners at the bar.

The Jury consulted for a few minutes, when they returned a verdict of Guilty against both prisoners.

#### EASTAFF FOR ILL TREATMENT OF STATE PRISONERS IN READING GAOL.

##### *Evidence for the Prosecution.*

The Right Hon. Lord Viscount Falkstone, sworn.

Examined by the Hon. H. Eden.

Q. Did your lordship, in the month of June last, apply for admission to the gaol?—A. In the month of June I did.

Q. Was your lordship admitted by any body on that occasion?—A. In the month of June I twice applied for admittance into the gaol; on the first occasion I was accompanied by several magistrates of the county.

Mr Justice Park.—Q. Your lordship applied to the defendant, did you? A. I did.

Mr Eden.—Q. How soon after did your lordship make the second application?—A. The second application was four or five days after the first.

Q. Both in June?—A. Yes.

Q. Will your lordship state what passed between you and the defendant on that occasion?—A. I called the attention of the defendant to what had passed on the first occasion, and I asked him whether he had altered his resolution, and whether he would now admit me into the gaol to see the state prisoners.

Q. What farther passed upon that occasion?—A. He refused, and I pointed out to him the clause in the Act of Parliament, under which I thought I had a right to be admitted. After some further conversation, he told me that he was willing to admit me, on condition that I would make an agreement with him what should be the nature of the conversation that I should hold with the prisoners. I refused to enter into any stipulations, and he then positively refused me admittance subsequently, on the same day, at the same time.

Mr Justice Park.—Q. You did not leave the gaol at that time?—A. No, I was going out; I had not got so far as the gate; I said I was willing to see the prisoners upon his terms, if after what I should state to him he was still willing to admit me. What I stated to him was this, that I conceived he had infringed the Act; that I should still proceed against him in the same way I had originally intended to do, whether he admitted me or not, and I left it to him to consider, whether he would not offend those who had given him the orders to exclude magistrates, by admitting me on any terms, and he then refused me altogether.

Q. Did your lordship, in October last, make a subsequent application?—A. I made a subsequent application, on the 6th of October.

Q. Be so good as to state what passed on that occasion?—A. I am not quite sure whether I applied to be

admitted into the gaol, and the defendant agreed to admit me, with the exception of the state prisoners, or whether I applied to see the state prisoners, and he refused me altogether.

Mr Justice Park.—Q. I do not understand this?—A. I am not certain whether my application was, to be received generally into the gaol, and he refused to admit me into that particular part where the state prisoners were confined, or whether my application was to see the state prisoners; but in point of fact, he refused to admit me to see the state prisoners.

Cross-examined by Mr Jervis.—Q. Your lordship has not stated the day of the first visit?—A. I can turn to it.

Q. I believe I can help your lordship to the date?—A. The first day was the day on which the County Meeting was held,—a Tuesday, and the second was on the Saturday following.

Q. The first was on the 10th, and the next on the 14th?—A. Yes, I believe it was.

Q. You have referred to a conversation which had taken place on a preceding day, that makes it necessary for me to ask your lordship, what took place on the first day; with whom did you go?—A. I went with Mr Hallet, Mr Goodlake, and Mr Palmer.

Q. Mr Fysh Palmer?—A. Yes, I am not sure whether there was any other.

Q. I believe all those gentlemen are Justices of the Peace for this county, as well as your lordship?—A. Yes, they are.

Q. But none of them visiting Justices?—A. None of them visiting Justices, I believe.

Q. You knew at that time, that certain state prisoners were confined in the gaol, in the custody of the defendant?—A. I knew it, certainly.

Q. What was your lordship's object in going to the gaol; was it to visit the prison generally, or to visit that part in which the state prisoners were confined?—A. My object in going was, to ascertain whether I should be, as I was told I should be, refused admittance.

Q. Your lordship went for the purpose of ascertaining whether you should be refused admittance to the state prisoners?—A. Exactly so.

Q. Your Lordship's object was not to see the gaol in general, or the prisoners in general confined in the gaol, but only that part of the gaol in which those prisoners were confined, and those prisoners in particular?—A. I believe I should not have gone, but to ascertain whether I should be refused; but in point of fact, we did go all over the gaol.

Mr Justice Park.—Then he did allow you.

Mr Jervis.—I am coming to that, my lord.—Your lordship's object and intention was not to visit and inspect the gaol, but to ascertain whether you should be refused to be allowed to see those particular prisoners?—A. Precisely so.

Q. Your lordship stated, that you were in point of fact allowed to see the whole of the gaol?—A. The whole of the gaol, except where the state prisoners were confined.

Q. With the exception of those apartments in which the state prisoners were confined?—A. Yes.

Q. As your lordship's conversation with the defendant on the 14th of June, referred to the conversation you had with him on the 10th, be so good as to state to me what that conversation on the 10th was—what did you ask him to be allowed to do?—A. I cannot bear in mind the particular words of the conversation.

Q. The substance of it, if your lordship pleases.—A. The substance



of it was, to be admitted to see the state prisoners.

Q. You mentioned their names, perhaps.—A. I believe not, I am not sure that I knew their names.

Q. Did you mention any particular object for making that request?—A. I believe I did not.

Q. You rather believe you did not mention any object you had to satisfy in seeing any of the state prisoners?—A. I am not sure.

Q. And you did not know their names even at that time?—A. I rather think not; I think the gaoler told me their names in the course of that day's conversation.

Q. What answer did the defendant make to that request of your Lordship's?—A. He refused.

Q. What were the terms in which he communicated that refusal?—A. The precise words I cannot state,—“I am not able to do it,” or, “I cannot do it.”

Q. As nearly as your lordship can state them?—A. I think they were, “I cannot do it,” or, “I am not able to do it.”

Q. Did not he ask your lordship if you had any complaint to make? Did he not tell your lordship, he had no objection to your lordship and the other gentlemen seeing the state prisoners, and merely asking them whether they had any complaint to make?—A. I think not.

Q. Did not the defendant say, that he had no objection to your lordship and the other gentlemen who were with you seeing the apartment of the state prisoners, merely asking them whether they had any complaints to make?—A. I think not; I think he positively refused to let us see the apartments. He pointed out where the apartments were, and as we were going round the prison, he pointed out the apartments from the outside.

Q. From the outside of their apart-

ment, but the inside of the gate?—A. Yes. As we were going round the prison, we met one of them walking through the yard, attended by a turnkey.

On the part of the defendant were exhibited many original commitments to the Tower, from 1650 to 1817, signed by the Secretary of State for the time being, also to Newgate, and county gaols. Among the early documents were the commitments of Lord Russell and Algernon Sydney; among the latter, those of John Horne Tooke, Quigley, and others, all to safe and close keeping, and forbidding intercourse with any one, except by special permission.

The Rev. Mr Manesty, one of the two visiting magistrates appointed at each quarter sessions to superintend the gaol, was then examined. He stated, that he was visiting magistrate during the period in which the state prisoners were confined at Reading; that he and his brother magistrate were constantly admitted to them, and regulated every thing respecting them; that a guinea per week was allowed to each of them for subsistence; that they were accommodated in the best rooms in the prison, to the great inconvenience of the gaoler and the principal turnkey; that every comfort, consistent with their safe keeping, was studiously afforded them; and that, in point of fact, they had no complaint to make in those respects; that the whole conduct of Mr Eastaff was regulated by their advice and direction, and in every particular met with their perfect approbation.

Mr Justice Park then summed up the evidence, and addressed the Jury to the following effect:—Before he gave them, (as he was bound to do,) his view of the law upon the subject, he could not but express his satisfaction at the manner in which the trial had been conducted. It must satisfy

the assembled crowd, that, by the admission of all parties, their fellow subjects, in the unfortunate situation of prisoners, were treated with every humane consideration. He could not but deeply lament, that the majority of the magistrates at the sessions at Abingdon had been induced so suspend Mr Eastaff from his office, pending his trial, and before it was ascertained by a Jury whether he had done any thing worthy of blame, or contrary to law; for obvious reasons, he could not approve of such a proceeding. Upon the law of the case he was bound to state his opinion to the Jury, who would give that opinion no more weight in their minds than they should think it deserved. With this caution he did not hesitate to declare, that he did not think that the Act of Parliament of the 31st of the King in any way affected the right of the crown, acting by the Secretary of State, to commit prisoners upon suspicion of high treason to safe and close custody, and to exclude them from intercourse with any individuals, magistrates or others, except by special permission. He came to this conclusion from a careful perusal of the words of the Act itself, from a reference to the parliamentary history of the time in which it was enacted, and from the uniform practice of above a century and a half, including periods both before and subsequent to the passing of the Act, and contemporaneous with it. If he could have any doubts as to the purport of the words of the Act, these two last-mentioned circumstances would entirely remove them from his mind. Without meaning to cast the slightest imputation on the magistracy in general, or of this county in particular, he thought it would be utterly inconsistent with the fair ends and purposes of justice, and of the safe keeping of prisoners under charge of treason, that two or three hundred individuals should

possess the power of demanding free admission to them at their pleasure, without any restraint as to the nature of the intercourse, or any cause assigned for their interference:—that he threw out of his consideration, and exhorted the Jury to discharge from theirs, the characters, station, and condition of the several parties in the cause. The question for them to consider was, Whether the prerogative of the Crown, as it had been uniformly exercised without question or dispute, for the repression of dangerous offences, was abridged to the extent contended for, by the Act of Parliament authorizing magistrates to visit "gaols, and other places of the nature of penitentiary houses;" if they were of that opinion, they would find the defendant guilty; if otherwise, they would acquit him. He thought they should also take into their consideration that part of the preamble of the Suspension Act which was referred to by the counsel for the defendant.

The Jury, in less than five minutes, found a verdict for the defendant.

#### CHARLES HUSSEY, FOR THE MURDER OF MR BIRD AND HIS HOUSE- KEEPER.

*Kent Assizes, Maidstone, July 31.*

#### EVIDENCE.

David Thomas lives next door to the late Mr Bird, in London-street, Greenwich; was acquainted with Mr Bird, who was 83 years of age. He latterly kept only one servant, Mary Simmons. On the Sunday morning of the 8th Feb., he observed the house of Mr Bird shut, about twenty minutes before one o'clock at noon. Mr Bird's brother gave him information of his alarm at the house being shut up. Mr Bird asked him to go to the back part

of his premises, and see if all was secure. All was secure: the windows closed; and he recommended to Mr Bird to pick the lock of the front door, which could not be done because the key was inside. They then tried a door between Mr Bird's house and witness's, and broke it open; a passage communicated from that door to the back part of the house. Through that passage witness and two or three others proceeded to the back part of the house. They there raised up the sash of the kitchen window, and broke open the shutters. He then went through the window to the kitchen. When in the kitchen, he went to the hall through a passage. He opened the back-door to let in light, and then saw the body of Mary Symmons lying in the passage, with her head towards the stairs, and her feet towards the street-door. Witness stepped over her body, and opened the hall window, and then saw Mr Bird lying dead on his back in the parlour. The door between the hall and parlour was open. Upon examining further, he observed blood on the floor of the hall. It was near the body of Mary Symmons. There was a track of blood by drawing the body. The head was cut, the ear was slit in two, part of the banisters was broken by her; a candle was lying beside her, which was nearly a whole one. About one-eighth part of the candle was burnt. When he saw Mr Bird, he saw a candle and candlestick near his knees; between his arms lay his spectacles, which were broken; on the table was a small pocket-book and a lottery ticket. There was no watch in his fob. His pockets were searched, and nothing was in them. Witness afterwards went up stairs into the little room over the parlour, and observed there a large tin box, and a padlock on it, and some papers lying loose on the floor. Some of the draw-  
secretary were open. Wit-

ness did not examine them. He went to Mr Bird's bed-room, and found a double chest of drawers open, and every drawer was half open. The things in them appeared to have been turned over, and left in disorder. On the bed there were two or three keys, and near them, on the counterpane, marks of blood. The bed was made, and turned down ready for sleeping in. He did not go into the servants' room. On the front door of the house there was a chain, which did not appear to have been on that night. The lock was a spring-lock, and had not been locked beyond the spring. Witness remarked in the kitchen the servant's needlework on the table, and a pen-knife or two, and the tablecloth folded on one corner of it, as if for present use. There was a pair of slippers on the fender, and in the oven roasted potatoes, and the tea-kettle was full of water. He looked into the bureau, and saw a gentleman take some plate out of the bureau, which was open.

Frederick Finch, a surgeon at Greenwich, examined by Mr Berens.—About one o'clock on the Sunday he went and saw the body of Mr Bird, who appeared to have been slaughtered in a most shocking manner; there were two deep indentions, about the size of a penny piece, on each side of the forehead, and a long fracture on the back of the head, appearing to have been caused by several blows repeated; from one wound a portion of the brain appeared to have escaped: he was of opinion that it had been done with a hammer, which had a sharp cutting edge and smooth face. He found on the head of Mary Symmons the mark of a blow on the os frontis, which alone would have caused death; she had besides seven or nine wounds, all appearing to have been inflicted with the same instrument; they appeared as if caused by the cutting edge of the hammer. He since saw a hammer,

and one of that description was exactly the one which would have inflicted the wounds ; there was one wound in particular, which seemed exactly to correspond with the cutting edge of the hammer he saw. The jugular vein had been wounded, and caused a vomiting.

Cross-examined by Mr Nolan.—Witness did not think that any instrument but some species of hammer could have inflicted the wound.

Mrs Kesiah Bell examined by Mr Common Serjeant.—Witness lives at Greenwich, and is a washerwoman. She used frequently to go to chare and wash at Mr Bird's ; his wife died two years and four months before the murder ; nine o'clock was his usual hour of supping ; sometimes he supped on potatoes ; ten o'clock was his general hour of going to bed ; he used to pull off his shoes after supper, and his slippers were left for him after the supper-cloth was removed. Witness had been washing there on the Monday before the murder ; she washed eighteen shirts ; after the murder she saw two shirts and a handkerchief produced by the constable ; she was sure she had washed those two shirts on the Monday, and the handkerchief she saw resembled that of Mr Bird. They generally kept cake and wine in the house.

John Litton lived at a house called the Greenwich Academy ; he and his wife occupied two floors of the house ; he is a cooper by trade ; at the time in question was employed as a patrol ; and was accustomed to go out at eight o'clock. He knew the prisoner, who left a box at his house when he quit- ted his place ; there were two staircases in the house. He and his family generally went up the larger staircase. There was a smaller staircase, through which a person might pass into the room where Hussey's box was deposited, without being observed by his

family. Hussey often came backwards and forwards to his house. Witness was not in the habit of locking his doors when he went out at night as a patrol. There were two privies to the house, which adjoined Mr Smith's premises. Near one privy, there was a place where his and other children used to play ; in that place he never recollected to have seen any matting or rubbish ; there was nothing on the day of the murder which could have concealed a bundle. There was a dark cellar close by, where a person could conceal any thing ; the door of it was always open. Near this place there was a cistern, with water always in it ; this was near the staircase leading to the room where Hussey's box was ; there was always a pump in the kitchen, which was not used by any one ; a person might go there without meeting any part of his family. He kept his cooper's tools in the lower part of the house, near to the kitchen that was not used. Before Mr Bird's murder, he had a cooper's hammer in this place ; before the murder, he had missed the hammer ; he left it there about four in the afternoon, and missed it next day ; it was about ten days or a fortnight before the murder was committed ; he inquired for the hammer, but could not find it ; it was a pail-rivetting hammer ; he saw this hammer since in the possession of Mr Bicknell's clerk ; before this he had described it to the magistrate ; when he saw the hammer since, he knew it to be his. The prisoner used to come frequently to his box ; witness once saw the box open, and there was hardly any thing in it ; when Hussey first brought it, it was secured by a pack-thread ; witness took the box away, and then it was secured by a stronger cord ; he took the box to a Mrs Goddard's, in Deptford, and left it there ; this was about ten days after the murder. The box then appeared to be a great deal hea-

vier than when, it first came to his place. He knew the prisoner when he lived with Mr Stephenson, in Vansittart-terrace, as a servant ; the prisoner used to wash his master's gig near the pond where the hammer was found, from which pond he used to get the water. The lane which ran by his house communicates with Mr Smith's grounds, and the pond was in these grounds. Witness heard of the murder on the Sunday afternoon ; he saw Hussey the same afternoon ; he came to his home about half-past three that day ; a relation of his was with Hussey ; he stayed until about ten minutes after five, and then went away, saying, he was going to his brother's at Peckham ; he said he had promised his brother to dine with him that day, but had dined at his washerwoman's. When he came that day, witness observed to him that he was quite groggy, and he replied that he had been at the Tiger's Head the night before, where he had been drinking ; he said he had been drinking in the morning at the Ship and Last ; that he dined with his washerwoman, and could not do less than give her something to drink. After this conversation, he left the room for about ten minutes, then returned, asked for something to drink, and sent for some porter. Witness saw a pair of gaiters produced before the magistrate ; he thought they were the gaiters of the prisoner. Some time after the murder, Hussey and Hazleton came together, and he was putting on a pair of gaiters, which he said he had bought of an ostler at the Prince of Orange for 4s.

Jane Goddard was called. She appeared much agitated. She lives in Deptford ; is related to the prisoner by marriage ; remembers a box being brought to her house on the Monday after the 14th of February. The box stood in the shop, and remained there three weeks before it was opened. Her

husband opened it, and found, the first thing, the silver ladle, then sheets. There were in it old clothes, which she returned to the box. The box was again opened about two or three hours afterwards, in the presence of some gentlemen of Greenwich. Hussey came the next day after the box was brought, and opened it. She was present when the box was opened a second time, and should know the articles in it.

Cross-examined by Mr Nolan.—Witness deposes, that Hussey's box was not locked, and that when he came he never spoke of removing it.

Joseph Goddard deposed to the contents of the box. He first saw a bundle, with a silver ladle. There was a pair of loose pantaloons, with a wine-strainer in the pocket. He saw also a waistcoat with sleeves. He saw on one of the sheets the letters G. S. B., 1. He then gave information, after having corded up the trunk. The constables, Larkin and Hodges, came, but he was not present when they came.

Cross-examined by Mr Adolphus.—Deposed, that no directions were given to take care of the box, but that it was left corded in the shop for any body to look at. Hussey was reckoned a humane, honest man ; witness never heard any thing to the contrary.

Thomas Hussey, the brother of the prisoner, who was exceedingly affected, deposed, that he lives at Peckham ; that he saw him about 4 or 5 o'clock on Sunday, when the murder was discovered. He had asked him to come and dine with him on that day. He did not come to dinner, but afterwards. He did not come in a coach, but on foot. When he arrived, he said he had taken something that had turned on his stomach, and asked witness if he had heard of the horrid murders at Greenwich. Witness said, no. Prisoner then said an old gentleman and his housekeeper had been murdered

opposite where he lived. Witness asked why he did not come to dine, and he answered that it was owing to the shocking murder, which made Greenwich like a fair. Prisoner was dressed in a black coat and waistcoat, with mixed pantaloons. Witness asked prisoner to go to London with him the following day, to which the latter objected, saying, he had a person called William to meet with at the Red Bull at Peckham. Witness pressed him to go to London, and he went. He did not return with witness, but witness saw him at his house that night, when his pantaloons were wet and dirty, he having fallen into a ditch. Witness sent him a pair of pantaloons, and the prisoner, in turning out his coat-pocket, took out broken pieces of buckles like silver, which prisoner said was silver. His brother, who was by, proposed that witness should take the silver, which he took, and paid him 5s. an ounce. He kept it till the watches were discovered, and then threw it into the fire, but took it out before it was melted. A part of this silver witness delivered to Mr Smith, the magistrate. He heard nothing of the purchase of sheets by the prisoner.

Cross-examined by Mr Nolan.—Deposed the prisoner received a legacy of 60*l.* on the Wednesday after the murder.

Eliz. Goodwyn, the sister of the prisoner, much affected, and in tears, deposed that she lives at Peckham. The prisoner did not send her a box, but the box came about the 8th of February. It was full of her deceased mother's clothes. Afterwards the prisoner came, and had access to the box; he opened the box twice, the last time on the Tuesday, when he returned from the country, which was three weeks after the murder; she opened the box herself on the Thursday following, and found in it the two watches and the notes. — Her husband and bro-

ther took them. There was on the watches the name of Bird. Her husband is J. Goodwyn. She had not seen the box from the time it came with wearing apparel, and when it was found with the watches in it. Her deceased sister had no sheets.

James Goodwyn is a tailor at Peckham, and the husband of the last witness. He saw watches which came from the box, but did not see them in the box. He examined the watch-papers, and on one of them was the name of Bird. This was a month after the murder. He delivered them to Mr Smith, the magistrate.

George W. Bird, the son of the deceased, identified the watches to be his father's, which were afterwards shewn to the jury. The one was a tortoise-shell watch, and the other a metal one. Only one of them had a watch-paper. Mr Bird said, the last time he saw it in his father's possession was ten days before his death. The tortoise-shell watch was his mother's, and since her death hung up in the little room in which he was found. The metal watch he had seen in his father's possession about three months before his death.

Thomas Larkin is a constable; went to the house of Mrs Goddard at Deptford on the 14th March, and found a trunk, which was produced, with the same cord then on it with which it was now fastened. He found in it two shirts, three sheets, a silver wine strainer, a silver soup ladle, a pair of gaiters, a cotton pocket handkerchief, a pensioner's ticket, with the name of Charles Hussey on it. Witness produced the articles, which were examined by the Court and Jury. One of the sheets was marked R. B., another was marked B. at top, S. and G. forming a kind of triangle, and the other sheet had no mark at all. Witness was at Mr Bird's house about twenty minutes after the discovery of the murder. The gaiters had marks of blood and vomiting, and

witness observed vomiting near the body of the housekeeper when he first went to the house on the Sunday of the murder.

Mrs Litton being called, said, that the gaiters appeared to be those of Charles Hussey ; but on cross-examination she stated she could not say they certainly were his. She had sown on the strap on one of his gaiters, and remembered that the gaiters she sewed were the same colour, and every way the same as those produced, but she could not swear that they were the same.

Kesiah Bell deposed to the sheet marked G. B. S. being George Bird's, his wife's name being Sarah ; she had washed the sheet many times ; she had observed the marks when she hung them out to dry ; she remembered the sheet marked R. B., which belonged to the family, Rebecca being the grandmother's name ; she knew the shirt likewise to be one of those she washed on the Monday previous to the murder in Mr Bird's house. The other articles found in the trunk were said to be the prisoner's by Mr and Mrs Litton, to the best of their knowledge.

Richard Hodges, the constable, deposed to the other articles contained in the box deposited at Goddard's, which had remained in his possession ever since. The wine-strainer and the soup-ladle, Mr Bird, the son of the deceased, could not identify, but he said that such articles had been missing ever since the murder ; that such articles were in the possession of his father before the murder, and resembled those he had seen in his father's house during his life. The bank-notes were identified to be indorsed by his father, some of them with the letters "G. B." and "January 12," and "July 18, Bank," with other marks on other notes. On every one of the notes was the signature of the deceased. The witness, Hodges, saw the hammer found on

the 1st instant, in the pond in Mr Smith's garden. This pond was visible from Vansittart's terrace. It had been drained, and the hammer was discovered. The hammer was produced, and identified by Mr Litton, the cooper, to be his, the one which he had lost before the murder. It was mended in the handle.

William Hallibone is secretary of the lodge of Odd Fellows. He remembered the lodge-meeting of Saturday the 7th of February. They made an odd fellow that evening. He knew the prisoner ; he is an odd fellow too, but not of their lodge. The prisoner was there that night about a quarter past 9 o'clock. The lodge meets generally about 7 o'clock, but that night they did not meet till near 8, and the prisoner did not come till a long time afterwards.

Stephen Epsom, was at the Odd Fellows' lodge on Saturday, the 7th of February ; he did not know what time Hussey entered, but it was about an hour before the lodge closed, which was at ten o'clock.

William Coulter, is a painter at Greenwich. He was at the Odd Fellows' club on Saturday night ; Hussey was there, but he did not arrive till 20 minutes before 10 o'clock. If he had been there earlier witness would have observed him.

Mrs Bennet proved that he dined with her about one o'clock on Sunday the 8th of February, and left her house about three.

This was the case for the prosecution.

The prisoner was then asked by the Court what he had to say for himself. He declared his innocence ; he said, about 7 o'clock on Saturday he went to sell some clothes at a woman's house, though she could not recollect any thing of this ; he went then to an eating-house, called Perret's ; he stopt to hear some singing in the street, and

went then to the Tiger's Head about half-past 8 o'clock; he then stated what happened in the lodge at the Tiger's head; he then related a long irrelevant story about his conduct on Sunday and afterwards. He repeated this string of incoherence with considerable fluency and composure; no look of terror appeared in his face, but he seemed fatigued by standing in a crowded court for so many hours, from ten in the morning till six in the afternoon. The prisoner then wished Hallibone to be called again, to be examined as to the time he entered the lodge on Saturday night.

Mr Adolphus addressed the Court, and said, that a new fact, of which he was not aware, had been disclosed in the prisoner's defence, it was the circumstance of his arrest and subsequent discharge for this offence.

The Court consented to have some of the witnesses called back to inquire into this fact.

Hallibone, the secretary, was now called back. He said he recollected Stephen Epsom having called Hussey out of the room of the Odd Fellows on the Saturday after the murder, to question him on the business.

Cross-examined.—When the new odd fellow was made, he was sure the prisoner was not present; the making took place at a quarter past 8 o'clock on the Saturday evening.

Larkins was called up again; he said, that on the 14th February he heard Hussey and Hazleton had absconded from the Tiger's Head, he went there and found his information had been incorrect, as Hussey was there; and on being asked about money, he said he had got it by a legacy of between 60*l.* and 70*l.*, which on inquiry proved to be correct. He received this legacy on the Wednesday after the murder.

Mr Serjeant Lens, who sat as judge

in the Criminal Court, then summed up.

At twenty minutes before ten o'clock the Jury consulted upon their verdict, and in about six minutes, and without withdrawing from the box, found a verdict of—Guilty.

The Clerk of Arraignment then called on the prisoner in the usual form to know if he had any thing to say why sentence of death should not be passed upon him.

The prisoner, in a faltering accent, and a pale and agitated countenance, said, "My lord! my lord!"

The Court.—"Charles Hussey, have you any thing to say?"

The Prisoner.—"Yes, my lord. It is most awful, surely, for my life to be thus most violently taken away from me—to be suddenly torn from my little family, my relations, and friends, for a crime of which I am not guilty. I know, my lord, I deserve my fate for concealing the property; I feel I did wrong in taking it; but I am as innocent of the guilt of murder as you, my lord, who sit there. The Almighty has given me power to say this. He has given me the power of meeting him shortly with fortitude, where I shall attest what he knows to be the truth. I am prepared for death. I have made my peace with God, as well as the small means allowed me enabled me to do. I was long since told, indeed, that I could not escape—that I must suffer. I now again repeat I am innocent of the murder—God knows it."

The learned Judge then prepared to pronounce the awful sentence of the law, which he did with great solemnity and feeling. It was a painful duty to him to attend to this day's proceedings, and the most painful part of it still remained to be performed. After what the Court had heard to-day, and after the conclusion to which the Jury were forced to come, he wished the prisoner



had spared the declaration he made of his innocence. He hoped he would still be brought to repentance and contrition for his crime, of which there could remain no doubt in the mind of any reasonable man; and in the few hours which yet remained that he would make his peace with God, from whom all disguise was ineffectual or impossible. In this way he might secure pardon above, while there was no chance of it here. Nothing now remained for him but to pronounce the sentence of the law, which was, that the prisoner be taken hence to the place from whence he came, and on Monday be carried to the place of execution, and there hung by the neck till dead, and his body given to be anatomized, and the Lord have mercy on his soul.

At the conclusion of the sentence, the prisoner cast an anxious agonizing look towards the bench, apparently wishing again to address the Judge. He did not do so, however, but retired under charge of the officers, without speaking a word. His composure and firmness of nerve during the whole trial was remarkable.

PALMER, COPE, &C. FOR IMITATIONS  
OF TEA, COFFEE, AND TOBACCO.

*' Court of Exchequer, May 16.*

THE ATTORNEY-GENERAL V. PALMER.

Mr Walton opened the declaration, and stated, that this was an information filed by the Attorney-General against the defendant, which charged him, he being a dealer in, and seller of tea, with having in his possession a quantity of sloe-leaves and white thorn leaves, fabricated into an imitation of tea, whereby he forfeited 10*l.* for every pound weight of such imitation. There

were other counts charging the offence differently, to all of which the defendant pleaded not guilty.

Mr Dauncey stated the case to the Jury, and observed, that the universal use of tea made this question of universal importance. It was lamentable to think, that in this great town there were persons who were in the daily habit of selling deleterious drugs, under different masks; and that while the public were imagining they were drinking at their meals nutritious beverages, they were in fact swallowing a slow but certain poison; and this in order that parties like the defendant might take advantage of the sale of an article, which was not mercantile, at a price far beyond its intrinsic value. The defendant, Mr Palmer, was a grocer, and had no doubt reaped no small advantage from this nefarious traffic. It would appear that a regular manufactory of this imitation tea, as it was called, was established in Gouldstone-street, and he should call a witness that would go through the whole history of the transaction. The parties by whom the manufactory was conducted was a person of the name of Procter, and another person named John Malins, the son of Wm. Malins, carrying on business in a place called Northumberland-alley, Fenchurch-street, professedly as a coffee-roaster. These two persons engaged others to furnish them with leaves, which, after undergoing a certain process, were sold to and drank by the public as tea. The parties gathering the leaves, which were of the white and black thorn tree, were paid at the rate of 2*d.* per lb. for the produce of their labour. These leaves, in order to be converted into an article resembling black tea, were first boiled, then baked upon an iron plate, and when dry, rubbed with the hand, in order to produce that curl which the genuine tea had. This was in fact the

most wholesome part of the operation, for the colour, which was yet to be given to it, was produced by logwood: whether this was an injurious ingredient or not, he did not know, but he believed few of his auditors would willingly drink an infusion of that dye. With regard to the green tea, that was manufactured in a less questionable and in a more destructive manner—he meant destructive to the constitution of those by whom it was drank. In this part of the business it appeared, that the leaves, after having been pressed and dried, were laid upon sheets of copper, where they received their colour from an article known by the name of Dutch pink, some of which (a powder of yellowish hue) he held in his hand. One of the component parts of this powder he understood to be white lead; but to this he would not pledge himself. The other article used in producing the appearance of the fine green bloom which was observable on the China tea, was, however, decidedly a deadly poison! He alluded to the verdigris, which, it appeared, was added to the Dutch pink in order to complete the operation. This was the case which he had to bring before them; and hence it would appear, that at the moment they were supposing they were drinking a pleasant and nutritious beverage, they were in fact, in all probability, drinking only the produce of the hedges round the metropolis, prepared for the purposes of deception in the most noxious manner. He had felt it his bounden duty to be thus explicit in his statement, with a view not only of holding up the defendant as a proper example to others, but to place the public on their guard against such nefarious impositions. He could not be accused of a desire to inflame the minds of the Jury by exciting their private feelings, because no end could be gained by such an attempt. He went for positive penalties, and the verdict could

be given only according to the limits of legal enactment. He trusted he should be enabled to trace to the possession of the defendant 80lbs. weight of the commodity he had been describing; and if so, he should entitle the Crown to penalties amounting in the whole to 840*l.*—a sum by no means large, when compared with the enormity of the offence.

Thomas Jones deposed, that he knew a person of the name of Procter, and was employed by him at the latter end of April, 1817, to gather a quantity of black and white thorn leaves. Sloe leaves were the black thorn. He also knew a person of the name of John Malins; he was the son of William Malins, a coffee-roaster in Northumberland-alley. He did not at first know the purpose for which the leaves were gathered, but afterwards learned they were to make imitation tea. Witness did not himself gather more than a hundred and a half of these leaves; but he employed another person of the name of John Bagster to gather them. After the leaves were gathered, they were first taken to his house, and afterwards to Mr J. Malins', in Gouldstone-street. He was to have 2*d.* per pound for gathering them. In Gouldstone-street they were manufactured. They were first boiled, and then the water was squeezed from them in a press. They were afterwards placed over a slow fire upon sheets of copper to dry; while on the copper they were rubbed with the hand to curl them. At the time of boiling there was a little verdigris put into the water (this applied to green tea only.) After the leaves were dried, they were sifted; this was to separate the thorns and stalks from them. After they were sifted, more verdigris and some Dutch pink powder was added; this made them resemble green tea, and the work was finished. The Dutch pink was a hard substance, and was scraped with

a knife; he did not know its component parts. It was shook up with the tea, and, together with the verdigris, gave the leaves that yellowish green bloom observable on genuine tea. They had no particular name for this process, except giving the bloom. The black tea went through a similar course as the green, except the application of Dutch pink; a little verdigris was put in in the boiling, and to this was added a small quantity of logwood to dye it, and thus the manufacture was complete. The drying operation took place on sheets of iron. Knew the defendant, Edward Palmer, who kept a grocer's shop in Red Lion-street, Whitechapel. He took some of the mixture he had been describing to his shop. The first time he took any was in May, 1817. In the course of that month, or the beginning of June, he took four or five 7lb. parcels. He did not see Mr Palmer at the time he took the parcels, to his recollection. He saw him at other times. He was not paid for the mixture on delivery. He received some halfpence at the defendant's shop, for which he had been sent by John Malins. It was not said what this money was for. Did not believe the defendant gave him the halfpence: to the best of his recollection, it was a young man in the shop. John Malins sent witness to the defendant for some paper bags, and other paper and string. He then saw him, and received from him the bags and paper. These bags and paper were to put up the imitation tea. He afterwards delivered these bags, filled with the imitation tea, at the defendant's shop. Remembers subsequently taking a quantity of the imitation tea to Mr Malins', in Russel-street. It was sold to grocers at the west end of the town. When he took it there, it was taken up to the top of the house. Of this first quantity he took none to the de-

fendant. He afterwards carried some more to Russel-street, which was also taken to the top of the house, about one cwt. and three quarters; from this quantity he carried 56lb. weight to the house of the defendant's porter, by the desire of Mr Malins, as the defendant did not wish it to come to his house; it was in paper parcels of 7lb. each.

John Bagster proved that he had been employed by Malins and Procter for two months, to gather sloe and white-thorn leaves; when he first gathered them they were taken to Jones's house, and from thence to Malins' coffee-roasting premises, in Northumberland-alley. He received 2d. per pound for gathering them. He saw the manufacturing going on, but did not know much about it; he saw the leaves on sheets of copper, in Gouldstone-street.

Mr Bowling, from the Excise, proved the defendant to be an entered tea-dealer.

This was the case for the Crown.

Mr Jervis addressed the Jury on the part of the defendant, but called no witnesses.

Chief-Baron Richards having summed up the evidence, the Jury found a verdict for the Crown for the full penalties, amounting to 840*l*.

Nine other persons were at the same time convicted and fined.

*Court of Exchequer, Dec. 7.*

THE ATTORNEY-GENERAL *v.* HENRY COPE.

The Attorney-General stated the information against the defendant, which imputed, first, that he being a tea-dealer, had in his possession a large quantity of coloured leaves, in imitation of tea; secondly, that he had a similar quantity of coloured leaves in his possession,

made to resemble tobacco ; and lastly, a quantity of roasted beans, peas, and other grain, in imitation of coffee, whereby he had become liable to pay large penalties to the King.

John Proctor was then sworn and examined. He deposed, that he lived servant with a person of the name of Henry Lamb, at Fiskerton, near Newark, Nottinghamshire. In 1809, witness lived with an uncle of this man, named William Lamb, who was a chemist and druggist ; Henry Lamb was in partnership with his uncle at that time ; but, on his uncle's death, gave up the business of chemist and druggist, and turned blacking-manufacturer ; he had carried on this business for three years and a half ; witness continued with Henry Lamb till last December. He came to Fiskerton in last November from Farndon, in the same county ; witness knew of some imitative tea having been in his possession. This tea was composed of shumac and white thorn leaves. These leaves were bought from the collectors at three-halfpence a pound. The white thorn leaves were infused in a solution of potash and water ; after this a solution of copperas and water was put to them. They were then drained, and dried upon a kiln ; this made black tea. The process with the shumac leaves was different to that adopted with the thorn leaves. The shumac leaves were scorched in a cylinder, and coloured with Dutch pink and Prussian blue. This formed a green, and gave the sort of bloom which genuine green tea bore. Of this sort of stuff Mr Henry Lamb sold large quantities—of shumac, he could say, a ton at least, had been collected and sold. Of thorn leaves he could speak to somewhere about two hundred weight. He also made an imitation of tobacco. This was made of safflower, or wild saffron. He was not aware whether this was a wholesome or a poisonous vegetable. This

was also infused in a solution of potash, and pressed out to deprive it of its colour. Having been thus deprived of its natural colour, it was put into a solution of copperas and water, where it remained till completely saturated. It was then pressed a second time, and dried ; and after being sifted and cleaned, became tobacco. Witness, to speak within compass, could say, that from one to two tons had been made and sold at Farndon and Fiskerton within a year and a half. Mr Lamb was also a maker of imitative coffee, which was made of rye, roasted in a cylinder, and then ground and mixed with a little coffee. To speak within compass, two or three tons of this had been made and sold. Two women and three or four children were employed to collect the shumac and thorn leaves before mentioned. The steeping took place at Farndon, and the drying at Fiskerton. These articles were sold to different grocers and shopkeepers. Witness knew a person of the name of Eyre, who was Mr Lamb's agent or traveller for the sale of these things. Witness saw the articles which were the subject of the present information ; they were the articles he had been speaking of.

Cross-examined by the Common Sergeant.—Was engaged in making the stuff he had described about a year and a half ; was quite satisfied with the making ; he did not put it down the people's throats.

Mr Robert Walker, collector of excise at Leeds, deposed, that on the 31st of March last, he went on board a vessel called the Swan, at the wharf, at Leeds ; he was accompanied by Belford and Gray, his two clerks ; he searched the vessel, and found a hog-head addressed to Mr Cope. This cask, in the manifest of the vessel, was said to contain blacking ; witness was not content with this, but broke open the head of the hoghead, and found it to contain a number of paper parcels,

containing 216lb. of an article imitating tobacco; he also found a quantity of paper parcels, containing 179lb. of an article imitating coffee; it was ground; he took samples of these articles; the whole bulk was seized and conveyed to the Excise-office, returned to the Exchequer, and condemned. After the seizure, a search-warrant was procured to search Mr Cope's premises. Witness, in company with others, went to the defendant's, who keeps a grocer's shop at Leeds. They observed, on entering the premises, two paper parcels lying upon the counter: the shopman was in the shop, and upon being asked what those parcels contained, he said they were druggist's parcels. Witness then examined them, and found they contained imitative coffee, and weighed 28lb. each. It was the same sort of stuff found on board the Swan. He then went into a warehouse belonging to Mr Cope, about 40 yards' distance. Here he also made search, and found several paper parcels containing 94lb. weight of imitative tobacco. This was the same sort of stuff found in the hogshead. At the time it was found it was just put into a hamper by the defendant and his men. On further search he discovered 56lb. of imitative tea: this was likewise in the hamper. The defendant, on being asked where he got these articles, after some hesitation, said he had received them from Henry Lamb, of Fiskerton, near Newark. He presented to witness an invoice, in which there was an article described as "112l. of L. E. H. at 2s." The defendant said L. E. H. stood for tobacco. In the same invoice there was an article described as "56lb. of C. F. E. at 9d. per pound." This the defendant said stood for coffee. There was likewise an article entitled, "two boxes of E. I. D.," which he explained to mean tea. With regard to the hogsheads found on board the Swan, the defend-

ant said it was intended for him, but he had refused to take it in; witness made an inquiry after the invoice of that, and the defendant produced one which he said was it. The goods in this invoice, however, were described as "2 cwt. of E. I. D. tea;" there was no tea in this cask, and therefore this could not be the invoice inquired for. The defendant said he had purchased these things of an agent of Mr Lamb, of the name of Eyre, to whom he had given his acceptance at two months, for the amount of the first invoice produced. He said he had been thus prompt in his payment, because Eyre told him if he did not pay immediately, he would acquaint the Excise. All these articles, like those found in the vessel, were seized and returned to the Exchequer. There was a letter annexed to the bill of parcels, which witness had described. This letter apologised for delay in sending the goods, and added, that he wished to send "a real good article, and he believed he had succeeded." In cross-examination, witness said that the defendant sent to the Excise-office to state that the officers had overlooked a quantity of tea, which was afterwards seized. In re-examination, witness said Mr Cope was an entered tea-dealer.

The Common-Sergeant.—I won't trouble you to prove that.

Mr Belford, clerk to last witness, corroborated his testimony in all respects. The defendant was much alarmed, and said he was going to return the goods to the manufacturers. He entreated that witness would not seize them, as it would ruin him. He threatened to blow his brains out. On the next day witness went again to defendant's house, and found two boxes in a small room in which the seizure was made the previous day. These boxes contained eight parcels of imitative tea, of 7lb. each. Witness did not believe these boxes were there the day

before. If they had, he must have seen them. These were seized also.

Samples of the respective articles were then produced, and Proctor being recalled, recognized them to be similar to those manufactured by Mr Lamb.

The case for the Crown being closed,

The Common-Sergeant addressed the Jury on the part of the defendant, whom he described to be a man in a very small way of business, extremely poor, and already in prison for debt.

The Common-Sergeant.—My Lord, I cannot resist the verdict for the Crown in this case, and therefore will not give your Lordship the trouble of summing up.

The Chief-Baron.—I was not going to sum up, nor is it in my power to control the mercy which may be exercised by the Crown in this case; but I think it right to state, as one appointed to administer justice here, that there is no foundation for these claims to consideration which the Common-Sergeant has put in. It is high time to put an end to this abominable traffic; and, as far as I understand the case, there is nothing in it to excite compassion.

The Jury then returned a verdict for the Crown for the following penalties: 1120*l.* for 112*lb.* of imitative tea, at 10*l.* per *lb.*; 100*l.* for imitative coffee; and 200*l.* for imitative tobacco; making a total of 1420*l.*

Four other persons were at the same time convicted and fined.

**JOSEPH ROBERTSON, FOR CELEBRATING IRREGULAR MARRIAGES AND FORGING CERTIFICATES.**

*High Court of Justiciary, Edinburgh, March 18.*

Came on before this Court the trial of the Rev. Joseph Robertson, minis-

ter of the gospel, Leith Wynd Chapel, Edinburgh, and William Pearson, spirit-dealer in the Canongate, accused of falsehood, fraud, and forgery, and also of celebrating, clandestinely and irregularly, marriage, contrary to the act of first Parliament of Charles II. 1661, chap. 34. The libel was found relevant at a former meeting of the Court, and the pannels having pleaded not guilty, a jury was chosen, and the trial proceeded.

The declarations of the pannels being admitted, were read over by the Clerk of the Court.

The first witness called was Alexander Ross, session-clerk of North-Leith parish; said he knows Mr Robertson, who once applied to him for a certificate of marriage. Being shewn a certificate of marriage between Moonay, a soldier of the 88th foot, and Margaret Macpherson, declares it to be a forgery, no part of it being in his hand-writing. Being likewise shewn a certificate of the same nature between Fitzgerald, another soldier of the 88th, and Sarah Urquhart, depones that it is also a forgery; that he never granted these certificates, as it was contrary to the laws of the Church for him to grant certificates to persons residing in Edinburgh.

Alexander Ross, jun. son of the last witness, being shewn the certificates, declares they are forgeries, no part being his father's writing.

Sarah Urquhart, said she was formerly a servant to Mr Grant of Rothiemurchus, but is now married to Edmond Fitzgerald, a soldier of the 88th; that in October last, on a Sunday, the witness, accompanied by Fitzgerald, Moonay, and Margaret Macpherson, called on Mr Robertson at his house; it was about eleven o'clock, but Mr Robertson said as he was going to church they must call again at one o'clock; that they did so accordingly, when Mr Robertson sent a girl

with the two men to get certificates, or lines, but they came back without them; that they staid about half an hour in Robertson's house, and he then recommended them to go to Pearson's house in the Canongate, which they accordingly did; that the men and Pearson went to get the lines, but as it was to the place where they were formerly refused, they did not get them; that Pearson went to Robertson's house by himself, and staid only a short time, but immediately after the two men went into Robertson's, but witness and Macpherson stood at the door; that they all afterwards went to Pearson's, but he was not at home; that they afterwards went to Robertson's, when Margaret Macpherson and witness went in, the men stopping at the door; that they begged Mr Robertson to marry them; he asked where the men were, when witness told him they were at the door; that Robertson desired them to go down to Pearson's, to enter by the back-door, and he would follow; Pearson was in, and said he would endeavour to make Mr Robertson marry them. Mr Robertson came in a short time, and said he did not know what to do with those people, but Pearson said, that on a former occasion they had got over this by getting the lines afterwards, and then signing them after marriage, which Robertson said he recollected; that Robertson and Pearson retired into another room, and Pearson shortly returned and demanded 7s. 6d. for each couple, but the men said they had not so much; said they would get it after the marriage, but Pearson replied that Mr Robertson would not do it without money; that Mr Robertson was going to baptize a child, and would soon return, but Pearson said Mr Robertson would wait if they would be quick; that the witness and Macpherson went for the money, and returned in a few minutes, when they found Mr Robertson writing the little lines they

got afterwards, which she identified when shewn to her; that the money was given to Fitzgerald, who gave 5s. to the parson, and 15s. for the lines, which Pearson took up, and said they would get the lines any day after Monday, upon calling either at him or Mr Robertson's house; that the witness and Fitzgerald were first married, and Moonay and Macpherson immediately afterwards; it was a religious ceremony, and there were two prayers; that M. Macpherson called on the Tuesday or Wednesday at Mr Robertson's for the certificates, but he refused except they were all present; but the two men being at Perth, M. Macpherson wrote to Perth, which Fitzgerald answered, and desired them to get the certificates or return the money; that they shewed Mr Robertson the letter, who desired them to be easy, and to go down to Pearson's, and he would follow; that they went to Pearson's, who said he was afraid the lines would not be got; they afterwards went up the street, and saw Mr Robertson coming down, when they returned again to Pearson's, and shortly afterwards Mr Robertson came, when he and Pearson went into another room, and in a short time Pearson came back, and desired them to call next day at four o'clock; that they called accordingly, when Pearson said he had got the lines after a good deal of trouble; Pearson then desired them to go to Mr Robertson's house; they went there, and Pearson came immediately; that Mr Robertson took the lines out of a drawer, wrote something on them, and gave them to the witness and Macpherson. [She identified the lines on being shewn them; they were the same which the former witnesses swore were forged.] That the parson read over the lines at Pearson's desire, and added, he was afraid there was something wrong yet, as they had not got an officer's certificate; but if any thing occurred to tell him.

Edmond Fitzgerald, corporal 88th foot, said that he was married on Sunday the 19th of October last; the witness, along with Moonay and the two women, called about eleven o'clock at Mr Robertson's house, and afterwards at one o'clock; that when they came back at one, Mr Robertson sent his servant with them to Mr Paisley's in College-street; they went first into a public-house, when Mr Paisley came, and demanded 10s. 6d. for each certificate, but the witness said Mr Robertson told them they should be only 7s. 6d. each. Mr Paisley then asked if they had an officer's line, when they replied they had not, and Mr Paisley refused to grant the lines; that they returned to Mr Robertson's house, who gave them a line to go to Pearson's, which they did. [The witness then detailed what passed, in nearly similar terms with the preceding witness, and fully corroborated her testimony.] That the witness paid the money, twenty shillings, to Robertson after the marriage, who took five shillings of it, and gave the rest to Pearson.

Margaret Macpherson, wife of John Moonay, private in the 88th foot, said, she was married, on Sunday the 19th of October last, in Pearson's house, by Mr Robertson. She identified both the pannels, and also the small certificate, which Mr Robertson gave her at the time of the marriage. She gave an exactly similar account with the two preceding witnesses, and added, that, when she got the lines, Pearson said to Robertson, "I do not know what these ladies owe to me, for I have had a very evident day of it;" but Robertson said, he would not take any thing from them.

John Moonay, private in the 88th regiment, corroborated the testimony of his wife and the other two witnesses, Mr and Mrs Fitzgerald.

Mr Archibald Scott, procurator-

fiscal, was asked if he knew where Pearson's house was? said he believed he staid in the Canongate, but does not know the particular place. Thinks all the street is called Canongate from St Mary's Wynd on the south and Leith Wynd on the north, although part of the south side is in the jurisdiction of the city.

#### FOR THE PANNELS.

David Milroy said, he lived in the head of the Canongate, on the south side, and he paid taxes to the city, and was in the jurisdiction of the town. That it went down so far as St John's Close. That the close where he lives is 218 from the bottom of the street.

Peter Hog, pawnbroker, No. 208, Canongate, which is in the jurisdiction of the city, although commonly called Canongate.

Robert Paisley, session-clerk of St Cuthbert's parish, said Pearson called on him for lines for two soldiers, when he asked for the officer's line, but Pearson not having this line, he refused to give a certificate. He got different prices, from 10s. 6d. downward, for lines.

Lord Gillies told this witness that to give a line certifying proclamation of banns, when no such thing was done, was a high crime and severely punishable.

Mr Archibald Scott said, he had seen Pearson's write, but he does not think the certificate now shewn is like his writing.

David Anderson, labourer, said, he was in Pearson's house some time since, when he saw a man deliver him a parcel, which he said was marriage lines. Pearson paid him 15s. for the parcel, which was the sum the man asked.

Mr Drummond, for the Crown, and Mr Maitland, for Mr Robertson, and Mr Pringle, for Pearson, severally addressed the Jury.

Lord Gillies, who presided, then summed up the whole in a very able



manner, after which the Jury, without leaving the box, unanimously found Robertson guilty of clandestinely celebrating the marriages libelled; and both the pannels guilty of feloniously using the certificates of proclamation of banns as genuine, knowing them to be forged.

On Thursday the Court met to pronounce sentence, when Mr Maitland addressed their Lordships for Mr Robertson in mitigation of punishment.

Lord Succoth stated, that it was the duty of the Court to apply a suitable punishment to the offence. As to the case of Mr R. the Court had no alternative—the Act of Parliament was imperative. The punishment for celebrating clandestine marriages was banishment furth of Scotland for life. The Judges had nothing to do whether the law was politic or not; that remained with the legislature, and all they had had to do was to apply the law.

The second crime was publishing the counterfeited certificates of proclamation of banns, which, although not amounting to forgery, was still a most dangerous offence. It was not easy to draw any distinction between the cases of the two prisoners in regard to this crime. Mr R. seems to have been very willing to celebrate these marriages; and, whatever his motive could be, it was not for him to inquire. He deviated from the path of his duty, and both prisoners had gone into this nefarious plan, although it appeared that the prisoner Pearson was the person who first proposed it. Mr R. probably had thought that the procuring a certificate afterwards would do away the crime under the statute. As to Pearson, he seemed to take a wonderful interest in procuring the marriage of these parties, who, it did not appear, he had ever seen before, which made it very much to be suspected, that he meant to pocket the 15s. given to him.

In regard to Mr Robertson, the Court could do nothing less than banish him from Scotland for life; and, in consideration of what was stated by his counsel as to the punishment for the second offence, he should propose, that, before banishment, he be confined in the jail of Canongate for three calendar months. As to Pearson, it certainly appeared that he was the instigator of the business, and he should propose as punishment, that, in addition to three months' imprisonment, he should be banished from Scotland for fourteen years.

Lord Reston concurred entirely with the opinion given. Mr Robertson, as a minister of the Gospel, should have rather been employed in teaching and instructing the people over whom he presided; neglect of which had led him into the temptation to commit the offence for which he had now the misfortune to stand convicted. The offence of fraud and imposition here committed was well known to be of a heinous nature by every person in the country.

Lord Gillies then addressed the prisoners. He stated it always to be a most painful duty to pronounce the sentence of the law; but what rendered the case of Mr Robertson more so was, that he was a minister of the Gospel, a member of the Established Church of Scotland, than whom a more respectable body of men did not exist. It was true the ministers of the Church of Scotland were not so well situated in point of riches as those of other established churches, but still they were upon an equal footing, and made themselves respectable in their ministry, situation, and rank in society, by strict attention to the duties of their office and zeal for the cause of religion. He had had some practice at the bar of this Court, not of short standing, and he was happy to say, that this was the first instance in his recollection of a

clergyman of the Church of Scotland having been arraigned at that bar for a crime, and he sincerely hoped and trusted it would be the last.

His Lordship observed, that he was not then addressing an illiterate person, but one who must know the blackness of the offence he had committed. The imposition upon two poor soldiers, who, from the allowance they received for serving in his Majesty's army, could not have much money to spare, and the little pittance they might have at that time must have been peculiarly necessary on their entering into the state of matrimony. Had he from a mistaken zeal, and from the repeated importunities of these men, celebrated their marriages gratuitously, the Court and Jury might have commiserated his case; but base and servile motives seemed to have led him to pocket the miserable pittance of these poor men. His Lordship observed, that it would be presumption in him to address a minister of the gospel upon religion, with which he must be better acquainted than he possibly could be; one thing he could offer, however, was, his sincere prayers for his repentance and amendment. The law was imperative, and the Court had no alternative but to pronounce the sentence which had been proposed. He (Mr R.) properly could not, after what had happened, be of any great use here, so that, by removing him into another country, he might still, by leading a life of virtue, frugality, and honesty, become an useful member of society. His Lordship then proceeded to address the prisoner Pearson in a strong and impressive manner, as to the base and sordid nature of his conduct in the whole of the transaction, and concluded by sentencing both prisoners to three months' imprisonment, in the jail of Canongate, and Mr Robertson thereafter to be banished Scotland for life, in terms of the statute; and Pearson

for the period of fourteen years, with the usual certifications.

#### POTTS, WOOD, & C. FOR ASSAULT ON ONE BEARING A PARLIAMENTARY PETITION.

*Assizes Staffordshire, March 20.*

This case afforded considerable mirth to a very crowded Court. It was an indictment which charged the defendants with having riotously assembled together in the parish of Stoke, in the Potteries, against the peace of our Sovereign Lord the King, and with having assaulted Thomas Deakin by working a quantity of water from an engine on him, while he was obtaining signatures to a petition for Parliamentary Reform.

Thomas Deakin, who deposed that he lived at Shelton, near Stoke. About twelve months since, or a little better, he was taking a petition for Parliamentary Reform round the country, to get signatures to it; he went to Stoke, to Mr Spodes' manufactory, and a person, named Clay, came and ordered him off, and he went from the premises on to the turnpike road; Clay came to witness again and told him to go off; witness told him he was on the turnpike road, and as he was doing nothing amiss he should not go; he then went away. Witness was opposite Mr Spodes' manufactory. Witness saw Mr Spodes' gates shut, and in about ten minutes he saw them open, and a water engine was brought out. One of the defendants (Taylor) had hold of the end of the pipe; he was guiding it, and the engine began to play upon witness; he retreated back to the place where he was at first, they still followed him, turn which way he would. Potts had hold of the pipe. Hazlehurst was there.

Mr Pearson.—What is Hazlehurst?  
—Witness; A barber.

Mr Pearson.—A political barber, eh? (a laugh.)

Witness continued.—Hewson was there; he had also hold of the pipe. Part of them were wheeling the engine about; and there were from 60 to 100 people there. Prosecutor heard them say, “Curse him, follow him up, and play in his pockets.” They played upon him until all the water was exhausted. He tried to escape, but they followed him, and one of them said—“Curse you, stop, stop, and stand your ground.” Clay was the person who said this. He heard many voices say, “Curse him, follow him out of Stoke.” After the water was exhausted, they pulled off their hats, and gave three huzzas! and some voices cried out, “Bring more water, bring more water.”

Cross-examined by Mr Dauncey.—How long had you been in the petitioning line?—Only a day or two.

What were you to be paid?—Three shillings a-day.

What other lines have you been in besides the petitioning?—I was brought up a boatman; and last March I was a carter; after that I took to pot selling; and after that my father told me he could put some bread in my fingers for life in another way.

What line was that?—To make paste blacking.

Mr Dauncey.—That was putting bread in your fingers indeed! (a laugh.)

From whom were you to receive three shillings a-day?—From a Mr Parkisson, at Handley, a schoolmaster; I went to school to him a bit.

What! to qualify yourself for the petitioning line?—No, not exactly so; but he promised me 3s. a-day.

Ah! when you were going to set all the world to rights?—I think it

would be a good job if it was set a little to rights. (Laughter.)

Mr Dauncey.—Ah, Mr Deakin, but there is an old adage that said it was better to begin at home.—Prosecutor—Yes sir, likely 'tis.

Had you a petition?—Yes, I had a petition; there were some words at the top of it, but I cannot purtend to say what it was about, but I know it was for Parliamentary Reform.

Mr D.—What is that?—Prosecutor, Eh!

Mr D.—What is that—Parliamentary Reform?—I don't know justly.

Mr D.—No, you neither know nor care, I suppose, so long as you get your 3s. a-day. Did you get nothing else?—Those who chose gave a penny or so, to send it up: this I gave to Mr Parkisson.

Did you explain the petition to those who signed it?—No, it explained itself. I have used the words, but I don't know what they were.

Had you not a few little phrases of your own to treat them with?—Little—what?

A few phrases—a few words to address to them?—Nqt to the best of my knowledge.

Did you not mention any thing about a new King?—Not that I know of.

Will you swear you did not?—Yes, I will swear it.

Mr D.—That's a good fellow.—(Laughter.)

A new Constitution; what do you think of that; did you say it was time and right that we should have a new Constitution?—I forget what I said to the people; I cannot purtend to say.

Q. Boroughmongers! do you think you said a little about them?—I did express some such words as that; now you use it, I think I did say summet about borough-mongering factions, but that is almost out of my head.

What are borough-mongering factions?—I don't rightly know what it means, but I have heard Mr Johnson speak about it.

Where did you hear him speak, good Mr Blacking-maker?—At Handley, I think.

What time was that?—I think about a week before I went about with the petition.

You went to hear him speak, did you?—Yes, I did.

Where did Johnson come from?—I do not know—he might have stopped a day or two there.

Was he acquainted with the school-master?—Yes; I have seen them together.

Where?—When Mr Johnson got up to speak, he spoke from a waggon. I was in the crowd. I don't recollect seeing him before that.

How long was it after that, that he agreed to give you 8s. a-day?—I was hired about two or three days before. I was to go from house to house to ask people to be pleased to sign the petition for Parliamentary Reform.

Did you know it was opposite Mr Spodes' manufactory you pitched your tent?—Yes, I did.

Were you not told you were not wanted there?—No, I was not.

Were you going to his men?—No;—I only went there to get signatures. I had a table, which I put down in the place.

What had you?—A table.

Where did you get it?—I got it from a neighbour; but I don't know who brought it to me, but I carried it to Mr Spodes', opposite his manufactory.

Mr J. Burrough.—Did you go for the purpose of getting the signatures of Mr Spodes' manufacturers?—Yes, I did.

Mr Dauncey.—I should like to have the speech you made on that occasion,

because it is likely I shall never have an opportunity to hear such another? (Laughter).—I can't recollect what I said. It was upon the petition. It is gone up, and was received by Parliament. The petition had two leaves, which were pinned together.

Mr D.—Well, now that you have got your table, yourself, and your petition before the manufactory—now fire away—tell us what you said?—I don't know.

Did you tell the people to go to church?—I did not mention church or chapel: I forget the words I said.

Mr D.—Give us the substance.—I don't know how; all I recollect was, that I axed them to sign the petition.

Mr D.—Did you see a Mr Martin?—I might have seen Martin on the road; I know not whether I saw him that day or not.

Mr J. Burrough.—Did you not go to the manufactory purposely to catch the men as they came out from work?—Prosecutor—Yes; I went to get them to sign it, because I had not got any signatures from any of the houses where I had called.

Mr J. Burrough.—How many signatures did you get from the houses?—I think not more than five or six; but I got a good many from the people at the table.

Mr J. Burrough.—What did you say to induce them to sign it?—I forget what the words were I said to them; they were not those used in the petition.

Cross-examination continued.—He had been desired to go away during the time he was accosted. When he was getting signatures, Clay told him to stand his ground, but he was much confused by the water being played upon him. He recollected saying, "I will make you repent of it; you have done just what I wanted." They laughed and shouted at him, and that

was the reason, why he used those words, and by using them he thought they would give over.

Mr Dauncey.—You thought that after a shower would come a sunshine. Did the squib go through the petition thus? (taking up a sheet of his brief and pushing his finger through it.)—Loud laughter.

I don't know that it went through it; it was very wet, but I think I put it under my coat. As soon as the water was all gone I went away; a person took me up and had me shifted.

Mr Dauncey.—I shall not follow you through that part of your story, as it might be dangerous. What did you do after you had shifted yourself? I dried the papers and went petitioning again. I went as far as the Vine Inn, at Stoke.

Mr Dauncey.—You exposed yourself and the petition again, did you?—Yes, but not in the same way; I know I should not like to be exposed again in the same way—(Laughter.) I then went to Mr Parkisson and got paid.

Mr Dauncey.—How much did you get in pence?—It might be about a shilling. Several hundreds signed it that did not pay.

Mr Dauncey.—And you have never been petitioning since?—No. I had enough of it—(A laugh.) I carry on my blacking trade now.

Mr Dauncey.—You mean to say you are a shining character?—I don't know much about that.

Mary Ankers was next called. She stated that she was a married woman: she was present when they were playing the engine upon the prosecutor; they were as violent as they could be. He walked off, but they still pursued him, pouring the water on him. Hazelhurst, Taylor, and Wood were there: Deakin conducted himself peaceably and quietly. This closed the case for the prosecution.

Mr Justice Burrough, in recapitulating the evidence to the Jury, begged that it might be understood, that he did not mean to say, that the people had not a right to petition for the reform of any grievances they considered themselves labouring under; however blameable the conduct of the prosecutor might have been, in placing himself before the manufactory, for the purpose of catching the men as they came out, his object must have been this, as he had stated, that he could not get sufficient signatures at the houses where he had called. With respect, however, to the defendants, he had no difficulty in pronouncing that what law called a riot had been committed, and if the Jury believed the two witnesses, the riot and assault upon his person were made out. If they believed this, they were acts highly illegal, and the defendants must be found guilty, however improperly the prosecutor might have behaved.

The Jury merely turned round to each other, and to the evident astonishment of the Court, pronounced the defendants—Not Guilty.

AUGUSTINE, BOGLE, FRENCH, AND OTHERS, FOR A CONSPIRACY TO CAPTURE VESSELS UNDER BRITISH LICENCES.

*Court of King's Bench, Dec. 9.*

THE defendants were indicted for a conspiracy; the particulars of which, as stated by Mr Gurney, for the prosecution, were as follows:—This conspiracy, he said, was new in its kind to Courts of Justice; ingenious in its execution, and most atrocious in its design and accomplishment. It arose out of the peculiar circumstances of the last war. Buonaparte, by his Berlin and Milan decrees, and this country

by the Orders in Council, had almost succeeded in suspending all commerce. It became at last necessary for both the belligerent parties to carry on trade under the system of licenses, and the system had been peculiarly advantageous to Great Britain, enabling her to carry her trade into the heart of the enemies' territory. The defendants had endeavoured to take an undue and unlawful advantage of this system of licenses. The parties concerned were, first, Nathaniel Bogle French, who died just before the indictment was found; Augustin Bogle French, John Barton, (who was not included in the indictment,) — Cocke, — Burke, and Matthew Welch. The four first had constituted the firm of French and Co., originally a respectable house. It had failed in 1806, and afterwards carried on business again. In 1812, when this conspiracy was framed, the house, though it was not generally known, was in the most desperate circumstances; and the contrivance they resorted to, for the purpose of retrieving their fortunes, was to fit out an English vessel, consign her to nominal owners in Spain, and send her to cruise in the Channel, for the purpose of capturing vessels trading under licenses. This was base enough in itself; but it had been pursued with an ingenuity that surpassed all conception, and had been accompanied with a degree of crime almost without parallel. The ship destined for this purpose was the brig Pitt; she had been sent to Spain at the close of the year 1812, and Burke was appointed to superintend her; for in all these cases of conspiracy, it was necessary that some of the parties should be in different places, to give a colour to the transaction. It would appear that this Burke was a person of no common ingenuity and cleverness. He followed the ship, and was to make a fictitious disposal of her to a Spanish owner; for Spain

only granted letters of marque to her own subjects on affidavit. The execution of the plan, therefore, commenced in foul perjury, and the moral guilt of perjury was the same in the employer as in him who kissed the book. Burke first pretended to sell the ship to a Spaniard of the name of Menendes; but one transfer not being considered sufficiently safe, Menendes, through the agency of one Escurvier, sold the ship to Laragoita, and the name of the vessel was changed to that of the Purlier, afterwards to that of Don Juan Baptista. Laragoita then applied for the letter-of-marque, which was dated the 12th of September, 1812, but not issued till the 22d of May, 1813. The vessel was fitted out in the port of Corunna, armed with twelve guns, and otherwise furnished as a vessel of war. The crew was Spanish, and there was a Spanish captain, Losa. He had been appointed by Burke as Laragoita's agent, and under an agreement that he should serve as first mate. Of course, the parties would not confide such an affair as this to a Spanish captain; and Captain Anderson, who went out with the vessel to Spain, was discharged. Welch was engaged by the firm of French, in London, and went to Corunna to join his ship; he found her there, all ready, manned with fifty Spanish seamen, and properly equipped; about the end of May he sailed, taking Burke along with him, and came to cruise in the Channel. If he had not intended to cruise for an illegal purpose, why would not an English letter-of-marque have served his purpose? The vessel, however, came to Guernsey in June with an ensign flying, as if it sailed under a Spanish commission. This ensign, it seemed, had been hoisted through ignorance, and was one of the first circumstances that excited suspicion. The Spanish consul at that place went on board, and found Burke

the director of every thing. He said the ship's bottom wanted cleaning (they had only been about ten days from Corunna,) and they also stood in need of stores. It was not *Losa* who made these statements, but *Burke*; and he offered to give bills on London, though he gave out that he and *Welch* were only passengers, and inquired when the packet sailed for England. They never went in the packet, however. All this transpired in the cause of the captured vessel that was tried in the Admiralty Court; and he (*Mr Gurney*) supposed we were to be told the story that was set up there—that *Burke* and *Welch* were indeed only passengers; that *Welch* went out to command, but finding a commander already appointed, came home as a passenger; but *Welch*, instead of proceeding home, continued on board, and made so many inquiries touching the ships in the roads, that the *Guernsey* people began to suspect something. They therefore laid a sort of snare to discover the truth, and completely succeeded. They sent off the *Palmyra*, a licensed vessel lying in the roads, to see if the *Don Juan* would give chase; and the moment *Burke* saw the *Palmyra* was gone, he sent for his pilot, slipped his cable, and pursued. The *Palmyra* on seeing this bore up, and came into the road again; the whole island was alarmed; a complaint was made to the Governor, and *Burke*, *Welch*, and *Losa*, sent for. *Burke* and *Welch* said they were passengers, and *Losa* shewed a Spanish letter from *Laragoita*, which stated that *Burke* was *Losa's* manager. *Burke* then said, that he had a right to take the *Palmyra*, and that nothing could prevent him. Being, however, a little alarmed, they sailed the next day, and arrived at Dartmouth on the 25th of June, from whence *Burke* and *Welch* proceeded to London. If they had come merely as passengers, they would

have stayed in London, but *Welch* returned to Dartmouth, after having spent the interval in reconnoitring the vessels in the port of London that were licensed for France. At Dartmouth, he paid the bills incurred by *Losa* for the ship, and sailed in the beginning of July, and shortly after arrived off Havre-de-Grace. Thus far there was a general conspiracy against any vessel under license. He should now shew a particular conspiracy against the *Carlotta*, a Danish ship, entered for Havre, and laden with 30,000*l.* worth of goods. At that time the Channel was covered with our cruisers, and the *San Juan* soon fell in with the Dwarf cutter, Captain *Gordon*. Captain *Gordon* sent an officer on board the *San Juan*, who soon returning, he went on board her himself. Every thing he saw was Spanish. *Losa* told him he was bound from Dartmouth to Dover, and on being asked if he had any English on board, said no. Captain *Gordon* then went down into the cabin, when *Welch* appeared, full dressed, and apologized for not receiving Captain *Gordon* as he ought to have done. It soon appeared that *Losa* was only deputy to this gentleman, who said he was waiting for a ship which *Gordon* could not touch. He said he could not explain farther to Captain *Gordon*; but he did to another person, for he said he was waiting for a Danish ship. Captain *Gordon* thinking this very mysterious, waited a little, and, seeing the *San Juan* next day, sent to say he would accompany her to Dover. But Captain *Welch* replied, "Oh! no; he would not be impeded by Captain *Gordon*; and if he was, would sue him, and make him pay 30,000*l.* damages." Captain *Gordon*, alarmed at this threat, went away; and shortly afterwards met the *Carlotta* off Beachy-head. He saw her again near Havre, with the *San Juan* near her; when the *San Juan* sent a boat

on board and captured her. Captain Gordon thinking this wrong, compelled the San Juan to go, with her prize, to Dover or Portsmouth; she chose to go to Portsmouth; from whence Welch sent off intelligence of the capture to French and Co.; and Hoffman, the Captain of the Carlotta, sent advice to his owners. Means were found to detain the Carlotta at Portsmouth, or she would immediately have been sent to Spain. Then followed a long and expensive litigation in the Admiralty Court; and at first great indignation was expressed, that that Court should dare to interfere with Spain, where the whole crew of the vessel, and its equipment, were all Spanish. In the course of the litigation, however, the conspirators thought it would be very advantageous to them to procure a condemnation in a Spanish Court; and Burke went once or twice, for the purpose of effecting this by corrupt means, as would be shewn. The house of French was in desperate circumstances, and hoped by these means to prevent or protract its fall. Protract, it did; for the creditors were put off on the ground of expences incurred in the Court of Admiralty, and with the hope that the event of the suit would bring in 30,000*l*. But the house failed, in May 1815, 100,000*l*. in debt, and no dividend had been paid yet. The day after the commission issued, news came that the Carlotta had been condemned in the Court of Ferrol; and it was hoped this would stay the proceedings in the Admiralty Court here; but the news came too late, for the bankruptcy had developed all the transaction. Messrs Shaw, Per-ring, Clarke, and another were assignees, and they found Burke debited to a very great amount in the bankrupts' books. They were, therefore, surprised at his asking for money to carry on the suit; and on calling him to ac-

count, he stated, that this was all a joint concern, and that he owed the firm nothing. The assignees, however, arrested him; when Clarke, looking into the matter, found that the commencement of the concern was in the name of the ship Pitt, and that it was not till 1813 (we think) that Burke's name stood at the head of the account. The original adventure was stated in the books to 2-5ths in French and Co., 2-5ths in Burke, and 1-5th in Cock, so that the vessel was their own, when, by foul perjury, it was stated to be Laragoita's. Welch had been agreed with for 50*l*. a month, and five per cent. on the amount of the adventure. Welch said he had relinquished the agreement when he came to Corunna; but he had afterwards drawn for 100*l*. on account of the ship. If Burke had sold her to Menendes, Menendes would have paid for her, or have given bills; instead of this, Burke had paid Menendes 400*l*., and afterwards 322*l*. 10*s*. 3*d*. to Escurvier, then 500*l*. to Laragoita, instead of receiving the amount of a vessel worth some thousands.—It was pretended that all this was paid on account of wools; but wools meant the ship Pitt. The adventure had been entered in that name in French's books, till, for a cover, a new head had been given to it, and Burke had been debited for the whole amount. The owners of the Danish ship had negotiated for her purchase at an enormous sum, and of all men Cock was the negotiator. Mr Clarke had found the whole correspondence. Clarke, as an honest man, thought himself bound to disclose the discoveries he had made, and gave the owners the means of recovering their property. By them the proofs had been laid before the Admiralty Court, and not in vain. When this was done, the parties had no other resource but to swear through the business; and such a mass of perjury had



never before disgraced a Court of Justice. Welch swore (what would be proved under his own hand to be false,) "that being at Corunna in May, 1813, and out of employ, he was appointed to act as a linguist to Laragoita, previous to which he had never had any concern with the ship, save that he had before been told that the Frenches had fitted out the ship, and that she was in Spain; whereupon he went to Vigo, where learning that the project was abandoned, he drew for one hundred pounds on account of his wages, and then his agreement with French and Co. was at an end. He believed that the ship was the real property of Laragoita; he sailed in her (nothing said about Guernsey or Dartmouth,) and fell in with a Danish vessel; he interpreted the papers, and was not further concerned in her capture; he had never had the command, directly or indirectly; he had received money from B. French and Co., as agent to Laragoita." The Learned Counsel then continued, that the best falsification of all this would be a letter of Welch's, found in the house of French. The original agreement was for fifty pounds a month, and five per cent. on the amount of the adventure. This was dated in February, 1813. In January, 1815, Welch wrote thus:—"He was in want of the balance, and had just received the enclosed voucher from Burke; he trusted he should be paid, having so long since ended the business; he had no claim but what was due for his services, and they must excuse his adding, that if the money was not paid he should apply to his Solicitor." This was accompanied by a voucher of Burke's, making a demand for eight months' service instead of two, as it would have been if the agreement had been at an end at Corunna. After this, there was the affidavit of Burke, which stated an agreement

"that the Frenches should have a joint interest with some Spanish or Portuguese merchants in the brig Pitt, which should be employed as a letter-of-marque; not against the commerce of his Majesty's subjects, but that of his enemies; that he left the country, not solely on account of the brig Pitt, but with power to sell her; and, soon after his arrival, abandoned all idea of fitting her out; that the bills drawn in favour of Menendes and Escurvier were on account of wools, and other mercantile concerns; that he did draw bills from Guernsey to the amount of 1,400*l.*, but they were all advised from Spain, and on account of wools; it would be proved that they were on account of the ship; that Laragoita was not a colourable captain, but the whole transaction was bona fide." A letter of this gentleman's had been found, which stated that he was going to Ferrol, to make interest for the condemnation of the Carlotta. Another, of the 26th of April, stated he had returned from Ferrol, and had every reason to hope that the difficulties as to the Carlotta were got over; another in May, stated, that the condemnation was settled, and would cost him 500*l.* The sentence of the Court in Ferrol did contain remonstrances against the proceedings of the Court of England; but all this was answered by Sir W. Scott, who said that this was no reclamation from Spain, but from British subjects, who were making it on the behalf of Spain. In the event, the Carlotta was released, and restored to her owners, and the San Juan seized and condemned in the Court of Exchequer, on the ground of her belonging to English and not to Spanish subjects. Of the parties involved in this transaction, Barton had fled, and was an outlaw; Bogle French denied he was implicated in the conspiracy, though it would be proved out of his own mouth that he was; for

when he found that all the proceedings in the Admiralty were in vain, he confessed the whole to his assignees. Burke and Welch disclaimed having had any thing to do with the conduct of the business; but it would be proved, first that Burke, and then that Welch; was the director. It might be contended, that part of the Carlotta's cargo consisted of French goods. But if all the goods had been French, that afforded no defence; for the crime was complete before the Carlotta appeared, and as soon as the conspiracy was entered into. Perhaps it would be urged, as had been stated in the affidavits, that this was the common practice of British merchants. But British merchants, of all men, as a body, the most honourable, would repel the infamous imputation. The trial had been put off more than once, for the indictment had been found two years ago. Perhaps the witnesses were now come from Spain to swear that the ship was theirs, and that they were the most injured of men. The Learned Counsel then proceeded to call the witnesses in support of the prosecution.\*

The facts above stated were proved by the evidence of Mr Moore, Spanish Consul at Guernsey, Mr Collings, merchant there, Sir John Doyle, governor, Captain Hoffman of the Carlotta, Mr Richard Clarke, and some others.

Mr Scarlett then addressed the Jury in an able and ingenious speech, observing at his outset, that this was one of those occasions on which gentlemen of his profession had frequently to discharge a duty with feelings of no very agreeable nature. In ordinary cases of disputed property, it was not difficult for them to see questions involving nothing but pounds, shillings, and pence, determined either way without pain or anxiety. But when an individual was charged with the commission of a crime, which, if proved, must be fatal at the least to his future character, and,

therefore, to his best interest in life, and more especially when the offence charged was that of conspiracy, the task of an advocate must always impress him with anxious sensations. He would go further, and say, that the Jury must participate in the same common feeling, when they considered either the magnitude of the crime, or the nature and variety of evidence, of which the proof almost necessarily consisted. It was a crime that could not be committed by one person; there must be a design common to several, and acts done in concert by them, for the purpose of carrying that design into execution. This offence, as defined by the law of England, was altogether peculiar, and there was no charge which in itself imposed on defendants so much difficulty in meeting it. He had heard this opinion explicitly avowed by many enlightened judges, and to use the emphatic language of one who formerly sat where his lordship was now sitting, it was a drag-net which swept all that came within its reach. To sustain such a charge, a great latitude of evidence was unavoidable, and it was impossible for those whose misfortune it was to answer it, to foresee or be prepared for numberless minute circumstances which might be adduced against them, although nothing might be wanting but an opportunity of explanation to shew them in a different and a favourable light. The substance of this indictment appeared to him to resolve itself into two distinct propositions; the one charging a conspiracy to seize vessels protected by British licenses; and the other imputing a design to seize the particular ship the Carlotta. In advertent to the evidence brought forward to support this prosecution, he felt satisfied, that the Jury would, before they came to a conclusion against his clients, require that the evidence should proceed from pure and unadul-

tested sources, not from sources tainted by motives of treachery, avarice, or revenge. (Here Mr Scarlett animatedly adverted with much severity, on the conduct of Mr Clarke, the assignee, whose testimony, he maintained, ought to be dismissed as unworthy of belief, and who, for aught they knew, might have garbled and suppressed the papers of the bankrupts, and by so doing have deprived his clients of their only means of defence.) After explaining the nature both of the ordinary and extraordinary system of licensing vessels, for the purpose of carrying on a trade with a belligerent state, he proceeded to argue, from a comparison of dates, that the design imputed to the defendants of preying upon vessels so protected, could not have entered into the contemplation of rational men; as the system itself was at an end, at the time when the design was stated to have been formed. He contended also, that there was strong reason to suspect, at least at that time, that the *Carlotta* was a French ship without a sufficient license, and in that case affirmed that the *San Juan* had a right to take her. If the question as to the *Carlotta* had been decided otherwise, the owner of a privateer was not guilty, any further than the commander of a man of war, who made a capture, which was afterwards pronounced illegal, of a criminal offence. It was, at the utmost, a civil trespass, proceeding from an error in judgment, for which the party was answerable in costs. He was one of those who thought it would be much happier for the world that war should never be made on commerce, and hoped, that as peace was at length restored to Europe, the licensing system, with all its train of frauds and perjuries, had ceased for ever. After many striking observations, Mr Scarlett concluded by a forcible appeal to the Jury, on the important duty which they had to

discharge, in deciding whether they would consign to infamy and ruin, and perhaps the pillory, persons in the situation of his clients, and at a distance of five years from the period of these transactions which formed the evidence against them.

The Chief-Justice summed up the evidence, and the Jury in a short time found a verdict of guilty against all the defendants; but recommended A. B. French to the merciful consideration of the Court, on the ground of his youth at the period when the conspiracy was formed.

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#### O'CALLAGHAN, PHELAN, AND NEWBOLT, FOR MURDER IN DUELLING.

*Old Bailey, Friday, Jan. 16.*

Theodore O'Callaghan, Thomas Joseph Phelan, and Wm. Newbolt, were put to the Bar, accused of the wilful murder of Lieutenant Edmund Bailey, by shooting the said Edmund Bailey with a pistol, or other deadly weapon, in a duel on Monday last, the 12th instant. They severally pleaded Not Guilty.

There were no counsel on the part of the prosecution, and Mr Justice Park having read over the depositions given at the public office at Bow-street, called and examined the following witnesses:—

William Adams stated, that he lived at England's lane, near Chalk-Farm, near Hampstead, in the county of Middlesex. On Monday last, the 12th instant, soon after nine in the morning, being unwell in bed, he heard the report of fire-arms so close together, that he apprehended some gentlemen were fighting a duel. He got out of bed, let down the window shutters, and saw four gentlemen, at the distance of 500 yards from the house, two of

which were standing at a distance of 12 or 14 yards from each other, and the others were standing together on the left side of the two who were separated by distance. He crossed himself as fast as he could. It was not a clear morning, and the wind was high. Just as he got over the gate into the field, he heard the report of two shot-guns. He saw one of the gentlemen make a kind of turn, as if he had been shot, and the three other gentlemen immediately ran to him. He took hold of two of their arms, and all four advanced towards witness. His intention was to have stopped the proceedings had he been in time to do it. When he met them, the deceased (Edmund Bailey) had his waistcoat unbuttoned, and also his trousers at the waistband. He was bleeding profusely. Witness observed to them, "This is an unfortunate affair," and the reply was, "Yes, it is, we are all friends, it has been an unfortunate affair. It was not our quarrel originally." They were to have been seconds in another quarrel the day before, which occasioned the present affray. They inquired if witness knew of any house to which they could convey the deceased. Witness offered his own house, and then the deceased was taken. They then anxiously inquired for a post-chaise, and witness told them he would send him for Mr. Rodd, on a moment. This was done immediately. Mr. Bailey was taken into his parlour, and placed upon the sofa, and in half an hour then told witness Mr. Rodd arrived. Mr. Bailey was still alive, but a short time before he was extracted. Witness Mr. Rodd arrived and witness went to the post-chaise, and took Mr. Bailey out of the house, and placed him in the chaise, which appeared to be a post-chaise, and witness then took to the chaise with him, and the

he found a person who was calling "every thing had been done in the most correct manner." He asked Mr. O'Callaghan, "What had been your case, would you have done so, and the rest of Mr. O'Callaghan's case." "Yes, my dear fellow, I think I had been wounded instead of you. I had your first ball between my legs. I wish it had been there, for I should have been married, and that would have been a great thing." Mr. O'Callaghan then related his previous and how the legs were cut through, and one of the bones. It appeared to have been done by a ball. After this, and before the death of Mr. Bailey, Mr. O'Callaghan went to a friend's house, which was about three quarters of a mile from the place, and brought a coach. He afterwards went to Chesham with Mr. Newbold, in order to prepare a lodging for the deceased. Mr. Rodd came, and found Mr. Bailey in a dangerous state, and advised witness to be given to his friends. Mr. Bailey asked Mr. Phelps for that purpose. Mr. Phelps went to town for that purpose, and to execute some commission. Mr. Phelps had declared that the deceased would not live many minutes at that time, he added, there was no time to be lost, and that Mr. Bailey should be taken to his friends immediately. All the persons were fully aware of the dangerous situation of the deceased. Witness asked them whether they intended to sue the Court, and they all said yes, and gave their cards of address. There was before Mr. Phelps had gone to town. In his absence an officer was sent for, and the two prisoners then present surrendered, and Mr. Phelps gave himself up as soon as he came from town. Two hours after Mr. Bailey had entered the house, he called O'Callaghan again to him, and desired him to take his hand, and rub it in a particular position, as he found great

case, he said, from it. Mr O'Callaghan did it for some time, and Mr Newbolt did so also. All attention was paid to the deceased. Mr O'Callaghan, as well as Mr Phelan, seemed very much affected, and all of them shed tears. Mr Bailey lived three or four hours, and then breathed his last. In the course of the morning, and while upon the sofa, the deceased said several times, "God bless you all, and thank you for your attention." Witness did not see the hand that fired either the first or the second shot. On the second firing, he saw smoke some height in the air. He saw no pistols in any hands. Before he quitted his bed-room, he saw a pistol fired over the hedge, quite away from any body, but, being at five hundred yards distance, he could not distinguish the person of the gentleman who fired it. He saw nothing more take place until he got into the field. Just before he got over the gate, and before he heard the second report of the pistols, he saw the two seconds retire, and the two other gentlemen place themselves at stationary distances. He afterwards saw two pistols lying on his parlour table, with a powder flask, and a bullet-mould. These he produced in Court.

Cross-examined by Mr Nolan.—As soon as the parties came into his house, and repeatedly after, the prisoners said they were not to blame; the quarrel was not theirs; and the deceased as often admitted this to be the case, and named the person who really was in fault, and with whom the quarrel had originated. The witness here said, that perhaps it would not be prudent to mention the name of this person.

Mr Justice Park concurred in the propriety of this person's name not being mentioned.

Mr George Rodd was a surgeon residing at Hampstead, and was called in on the 12th January to examine the deceased. He arrived there shortly

after ten o'clock. He saw Mr Bailey sitting on a sofa, with his right side bloody. Mr Bailey said he apprehended death, and witness confirmed the observation. Witness extracted a ball from his side. After the death of the deceased he was opened, and it was found the ball had penetrated the intestines in three different places. Those wounds, in his judgment, caused his death. After having extracted the ball, witness asked the deceased whether every thing had been fairly done? His answer was, "Decidedly so." He then told him, "If you have any thing to communicate to any private friend, you had better do it." Bailey then called Mr Phelan to him. Shortly afterwards, Mr O'Callaghan, at the request of the deceased, held up his hand, as it gave him, he said, considerable relief. He said, "God bless you, I thank you all for your attention." Mr O'Callaghan said, "I hope, my good friend, we shall be walking together again in two or three weeks;" and Bailey replied, "No, I shall be in Heaven before that time." Witness received all the assistance in their power from the prisoners.

The evidence on the part of the prosecution having been closed, the prisoners were severally called upon for their defence. Neither Mr Newbolt nor Mr Phelan made any defence; but Mr O'Callaghan, after having expressed his inability of speaking in public, handed in a written defence, which was in the following terms:

"My Lord, and Gentlemen of the Jury.—I never apprehended that I should appear in a Court of Justice to answer for a crime, because I never had a disposition to commit one. My Lord, and Gentlemen, I have no other observation to make than to express my confidence in your liberality and justice, and that you will believe me in this solemn declaration, that no man alive, however closely connected with

the brave man now no more, could more deeply regret than I do the unfortunate calamity which has brought me to this bar."

Mr O'Callaghan appeared deeply affected.

Witnesses to character were then called on the part of the prisoners; and in favour of Mr O'Callaghan were called—

Colonel Murray, who had known him since the year 1812, and spoke in the highest terms of his character as a quiet, mild-tempered man.

Mr O'Connell, who had known Mr O'Callaghan nearly all his life, and Mr Charles Stewart Radford, deposed to the same effect.

On the part of Mr Newbolt, four witnesses appeared. Mr R. Baldwin had been intimately acquainted with his family for a great number of years, and with Mr Newbolt since the cessation of hostilities, for two years, and for mildness, humanity, and gentlemanlike conduct, he gave him an excellent character. Mr Caslon, Lieut. Thomas Burke, and Captain John Allen, confirmed this statement.

For Mr Phelan.—Mr Woods, who had known him twelve months, considered him to be a humane, honourable, and kind-hearted man. Mr Baker, Mr O'Brien, and Mr Tubb, gave him a similar character.

Mr Justice Park, precisely sixteen minutes to twelve, commenced his charge to the Jury. He began by observing, "That the three unfortunate gentlemen at the bar stood charged with the wilful murder of Edmund Bailey, by shooting him in a duel. The crime, as laid in the indictment, was, as they would perceive, that of murder; and the Jury, he had no doubt, were well aware, that the feloniously killing or taking away the life of another person, in order that the same should constitute murder, obviously supposed the person who had done

so to have acted from malice, either expressed or implied. It might be expressed by words, gestures, and actions, or implied in the circumstances attending the transaction. The circumstances which accompanied this most unfortunate and lamentable event now before the Court were, no doubt, fresh in the recollection of the Jury, and the numerous audience; but he should feel himself indispensably bound, nevertheless, to go over them, and the way they had been detailed in evidence, to prepare the minds of the Jury, for afterwards applying to them the observations he should feel it his duty to make at the end of his recapitulation of the facts of the case. He had therefore nothing more to say till he had discharged that part of his public duty.—[Here the learned Judge at great length recapitulated the evidence.]—He then observed, that, as in every other case, it was indisputably clear, that all who were present in a case of murder, either aiding or abetting, were equally guilty with the person who committed the act. In a duel, for example, where a person might be killed by the firing of a pistol, and when others were present who acted as seconds to the combatants, the law held all of them equally guilty, though the trigger of the pistol was only drawn by one. So tender and so careful was the law of England of the lives of the King's subjects, that all homicide was supposed to originate in malice, except something directly the contrary was proved, or that such circumstances had taken place as would fully take away the sting of malice. The law had certainly very wisely, in many cases, provided different extenuations of the crime, which crime might properly be justified under peculiar circumstances. It was, however, for the Jury to say, whether, in the present unhappy and deplorable case, there were sufficient appearances

to take away from it the sting of malice. It was his public duty, however painful it might be to his own feelings, to state to them, as far as he knew from his various readings, what the law of the country was, as regarded duels. It was particularly important he should do so now, as, from the crowded state of the Court, he sincerely hoped the law on that subject might be promulgated. Happy for society, happy for individuals, would it be, that those persons, who thus voluntarily exposed themselves to danger, would reflect but for a single moment, not only on the awful jeopardy in which they placed themselves, but on the painful duties which they thereby rendered it necessary for others to execute. They would probably feel more advantage from such a short but serious reflection than tongue could describe. In cases of duel, there was no necessity for malice, as in other cases of murder; for, if in them a deliberate intention was shewn of doing bodily harm, under the pretence of vindicating injured honour, and if death should ensue, the law held that to be malice; and this kind of malice came directly under the description of malice expressed. Lord Hale, one of the greatest criminal lawyers of this country, and one of the best of men that had ever adorned society, had laid this down to be the law, and indeed it was well known to most of those who heard him, that in a recent case, about ten or eleven years ago, in the King's Bench, a most learned and amiable Judge, now no more, had fully laid down the law in the very same way, thinking it was proper to do so, in that manner, for the benefit of the public. In his learned and valuable work, the Lord Chief Justice Hale held, that if A and B should fall out, and in the moment of passion fight a duel, that was not murder, but merely

homicide; but if they should appoint a time to meet, and during the interval, time was allowed for reflection and deliberation, then that was clearly murder. The very same opinion was held long before Lord Hale's time, by Sir Edward Coke, who was Chief Justice of England in the time of James I. Mr Justice Foster also laid down the same opinion as law, for he considered duelling to be murder, as it was in such cases founded on a principle of deep revenge. It was proper the Jury should observe the striking words of the Lord Chief Justice Hale, and apply them carefully to this case. The murder so committed, consisted, as that great and good man so justly observed, in the deliberate act which was manifested by the time allowed to intervene between the quarrel, and revenge taken by the injured person. The same was the opinion of the late Mr Justice Blackstone. It was only justice to say, that when a man deliberately sought the blood of another for a private quarrel, he was completely guilty of murder, but if the duel was suddenly fought, the crime was reduced to manslaughter. He hoped that in these quotations he had made himself intelligible to the Jury and the Court, and he would only again repeat his earnest wish, that the law in this case were more generally known. With regard to the unhappy gentlemen at the Bar, he felt himself bound to say on his solemn oath, that if the Jury were satisfied the crime was the effect of deliberation, the whole three were guilty of murder. It would be an insult to the Counsel for the prisoners, and an equal insult to the good sense of the Court and Jury, to throw out a single doubt respecting the deceased having been killed by Mr O'Callaghan. To doubt that was morally impossible. If the Jury were satisfied the seconds, as they were called, were there, they were



equally guilty with Mr O'Callaghan. From the evidence it was clear they were there, to see that, in the language of these gentlemen of honour, fair play was used, but they were not there for the purpose of preventing it. In the daily newspapers cases were often seen, and seen with pain by every friend of humanity, of challenges being sent two or three days before the duel was fought. Such were cases of cool, wilful, deliberate murder, but it was the province of the Jury to say, whether such was the case here. Probably the quarrel might have begun at a tavern, or a theatre, and the individuals had gone to the fatal spot with their blood warm. That was also for the Jury to consider. A higher character than that given to Mr O'Callaghan, could not be given to any man. It appeared that he was the friend and companion of the deceased. Perhaps he had been insulted by the deceased, and felt, as every man more or less did, that the stings of a friend are more severe and goading than those of an enemy. On this ground he might have felt the reproaches of his friend to be painfully oppressive, and might therefore, in the moment of irritation, have gone to the field without thinking what he was doing. The time allowed to deliberate might not have been granted, but the Jury had to determine that. 'If, on the whole of the case, the Jury entertained honest and conscientious doubts, they would, of course, give the prisoners the benefit of them, especially considering very excellent characters

seized, and he was sure, since ever before a Court, had a better character been person than had been given whole three. They were rep in their appearance, and they had called a most respectable host of witnesses as to character. One observation more, and he should conclude. It was to be

deeply lamented that men, who had borne such admirable characters for humanity and gallantry, in the service of their King and country, should have so far forgot, not only their duty to their country, but to themselves, as rational, intelligent, immortal beings, as to expose not only their own lives to danger, which lives they had received from an all-merciful Creator, but also to expose another individual to the awful peril of rushing into the presence of Almighty God, in an unguarded, and perhaps unprepared moment. That was an alarming idea, to which it would be well for such persons in all time coming to attend; yet it was most lamentable to see the present spirit of the times for duelling. Such were the observations he had felt himself bound to make, and such was the painful nature of the case before the Jury. They were now to decide—they were now to declare, whether the gentlemen concerned in this most deplorable transaction were guilty of Murder or Manslaughter. The case was of the deepest importance. It was important to the public—important to the prisoners. Happily it was in the hands of the Jury, and he trusted sincerely from his soul, that that God who searched the hearts of the children of men, would lead them to a right verdict. To acquit the prisoners was impossible. The only verdict was, that of guilty of Murder, or merely of Manslaughter. May God lead them to do right!"

The Learned Judge concluded this most impressive address precisely twenty-seven minutes after twelve, and the Jury then retired to consider their verdict. While they were out, the prisoners sat down in the box, and appeared deeply involved in thought. In fourteen minutes the Jury returned, finding them guilty of Manslaughter.



## MARIA WALTON, FOR BIGAMY.

*Sussex Assizes, Horsham, March 19.*

This morning the Court was excessively crowded with ladies and gentlemen, to hear this interesting trial. Before eight o'clock, Maria Walton, alias Maria Wilkins, was put in the prisoners' box; she was dressed in white, with a light-coloured peliase, and wore a round black hat with feathers, and a black veil. Her countenance was exceedingly prepossessing, notwithstanding the natural anxiety of her feelings upon the situation in which she was placed. A few minutes after eight, Mr Baron Graham entered the Court, and Mr Gurney (Special Counsel) and Mr Bolland, both for the prosecution; as also Mr Nolan and Mr Chitty, Counsel for the prisoner.

After the indictment had been read, to which the prisoner pleaded, Not Guilty, and was allowed the privilege of a scat,

Mr Gurney opened the proceedings by stating, that the prisoner was the daughter of a respectable tradesman, and was married very young to a Mr. Cox, who lived at Bombay, in India, where he died in 1809. The following year she was married to Mr Wilkins, at Bombay, when they shortly afterwards returned to England. For a considerable time the prisoner lived at Brighton, upon their separation, where Mr Walton became acquainted with the prisoner, and was so captivated with her person, that he fell in love with her, and they were married at Lewes in 1816. Mr Walton had been thrown into gaol in consequence of debts contracted before marriage. He was a young man of military fame, and had acquired glory by his bravery in the memorable battle of Waterloo. He would call witnesses to substantiate the fact of the bigamy. The

prosecution was carried on by the mother of Mr Walton.

Mr Maitland, clerk of the Secretary's Office at the India-House, produced the book of registers of marriages, births, and deaths, at Bombay, commencing the 14th January to the 19th December, 1810.

The Rev. Mr Burroughs stated, that he was a resident chaplain at Bombay 42 years; every marriage is registered at the church, and copies are regularly transmitted to England, after they are compared with the original register, signed by the clergyman. The prisoner was married to James Thomas Hacket Wilkins by him, on the 26th of January, 1810. They left Bombay soon afterwards. Witness had not seen the prisoner until he had an interview with her in Bristol gaol, where she was confined for want of sureties to keep the peace against Mr Walton's mother. This was about three weeks ago. He knew the prisoner well at this interview, notwithstanding the length of time which had elapsed since the marriage at Bombay, owing to the celebrity of her character, and the observation he made at the time as to her person. This was further corroborated from the conversation he held with the prisoner at that time, when she recognized him. There were no subscribing witnesses to the marriage at Bombay, which was by license.

Mr Winter, the parish clerk of St Peter's, Lewes, produced the register of the marriage at that parish church, namely, "Robert Baron Walton, of the parish of Brighton, and Maria Cox, of the parish of Lewes, by licence, 28th May, 1816." The witness was present at the solemnization.

Mrs Brierly, of the Pelham Arms, Lewes, was also present at the marriage.

Mr Bampffield, surgeon, of Bedford-street, Covent-garden, knew the pri-

soner, and her deceased husband, Mr Cox, in Bombay, and subsequently her second husband, Mr Wilkins, who introduced the prisoner to him as his wife. They resided at Bombay, till June, 1809, when they sailed for England. Witness left India in the same fleet; and since their arrival in England, witness often corresponded with Mr Wilkins, and who was now at Horsham.

Mr Yates, clerk to Mr Evans, solicitor to the prosecution, proved the acknowledgment of the prisoner, that she was married to Mr Walton whilst Mr Wilkins was living.

Mr Nolan addressed the Court, and urged a variety of objections as to the validity of the marriage with Mr Wilkins, and contended that the record on the indictment did not give a value to the preceding contract of marriage in India, as the Jury could not try it in a civil or criminal capacity, and upon these grounds the indictment could not be sustained.

Mr Chitty followed in a similar course of argument.

The Learned Judge overruled these objections, but at the same time reserving his opinion for a further argument before the bench of Judges, if the Counsel for the defendant thought fit.

The prisoner in her defence stated, that she was married to Mr Wilkins in India, and that on their arrival in England he became involved in his circumstances. A separation ensued with mutual consent, and an agreement to that effect was entered into; that when Mr Walton paid his addresses to her, she told him of her circumstances, and also, that by the opinion of her professional advisers, she was repeatedly told that her marriage with Mr Wilkins was illegal, owing to there being no witnesses present at the solemnization. She declared her innocence of

having inveigled her second husband to a marriage, and for a long time resisted his importunities.

The Rev. Robert James Carr was examined on behalf of the prisoner, who stated, that Mr Walton had made application to him for a license. Being confined to his house at the time, he requested Mr Walton to call in a day or two, during which period the reverend clergyman requested his curate to make inquiries respecting the lady. Upon Mr Walton's second application, the witness declined granting a license, and with the greatest consideration of kindness, begged of him to recollect the unhappiness he would give to his mother, by marrying this lady. Mr Walton was determined to obtain a license elsewhere, which the reverend witness observed, had he been aware, he would have prevented, by giving information of the circumstances of the objection for his refusal.

The Learned Judge summed up the evidence with much force and perspicuity, and pointing out the facts to the attention of the Jury, he left it to their consideration to give a verdict accordingly. The Jury, after a short consultation, returned a verdict of Guilty, but recommended the prisoner to mercy.

The Learned Judge, in passing sentence, observed to the prisoner, that from the frank and open manner in which she declared her situation to Mr Walton, as being previously married, and which was partly proved in evidence, the crime with which she was charged was much extenuated, and that she would be visited with the least punishment the law in such cases had provided. The sentence was six months' confinement in the House of Correction at Lewes, and that it should be attended with as gentle treatment as was suitable to her situation.

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**BOLTBY, PARISH, AND MRS TAFFE,  
FOR ATTEMPT TO CARRY OFF THE  
MISS COLEBROOKES.**

*Court of King's Bench, Nov. 26.*

This was an indictment against the defendants, Thomas Joseph Boltby, Joseph Parish, a Mrs Taffe, and others, for assaulting and falsely imprisoning Lady Colebrooke, her two granddaughters, and a Miss Sutherland. At the sittings in Westminster after last Term, the defendants were found guilty by consent of their Counsel, Mr Denman, who reserved their case upon affidavits in mitigation of punishment.

Mr Gurney now prayed the judgment of the Court upon Mr Boltby and Parish only, expressing his hope that the justice of the case would be sufficiently satisfied by sentence upon those two individuals, without bringing up the other defendants.

It appeared at the trial that the assault and false imprisonment complained of arose under the following circumstances:—Lady Colebrooke, on the 23d of September, 1817, was riding in her carriage with the two Misses Colebrooke, young ladies under the age of twenty, (her granddaughters, and daughters of Mrs Taffe, one of the defendants,) and another young lady, named Sutherland, on Haverstock Hill, coming from Hampstead, when the carriage was stopped by the defendants, of whom the defendants, Mr Boltby and Mrs Taffe, had been riding in a hackney coach, and one of the Misses Colebrooke was forcibly seized, and attempted to be taken out of the carriage, but her complete removal was prevented by the persons who collected about. All the particulars of the case were not fully gone into, for the reasons already mentioned, the defendant's counsel having consented to a verdict of guilty,

The defendant, Mr Boltby, now put in an affidavit in mitigation of punishment, from which it appeared that he was a merchant, residing in Duke-street, Adelphi; that he had become acquainted with Mrs Taffe, whose former name was Colebrooke, who had two daughters, residing under the guardianship of Lady Colebrooke, their grandmother; that Mrs Taffe had represented to him that she had been cruelly kept from any intercourse with her daughters, in consequence of the vigilance of Lady Colebrooke; and that if she could only have a sight of them, and once speak with them, that was all she desired; that she told him she understood they were to be taken to a distant part of Scotland, and should never more have an opportunity of seeing them; she further told him, that whenever she attempted to see her daughters, she had always been ill treated by Lady Colebrooke, and insulted by her servants; but if she could but once see her children, she was sure they would immediately leave Lady Colebrooke, and would fall into the arms of their mother for protection. Influenced by these representations, and pressed by Mrs Taffe's entreaties, to protect her from insult and violence in the endeavour to see her daughters before they went to Scotland, defendant at last consented to accompany her in pursuit of this object; and accordingly, on the 23d of September, he accompanied her to Hampstead, (where Lady Colebrooke resided,) in a hackney coach, and there he met the other defendant, Parish, and several other persons. Finding that one of the persons had pistols, he insisted upon examining them, and he found that they were unloaded. He and Mrs Taffe proceeded down Haverstock-hill, in the coach, and met Lady Colebrooke's carriage, which he admitted was stopped by the hackney coach, and one of the doors of it was opened

by Parish, the other defendant, who was proceeding to take hold of one of the young ladies. Defendant, finding that he was deceived as to the readiness of the young ladies to fall into their mother's arms, and that, in fact, they drew back and resisted the projected attempt, he immediately interfered, and prevented Parish and the other persons from using any violence in taking the young ladies from under the protection of Lady Colebrooke, and also prevented any mischief ensuing. The affidavit stated, that so far from Lady Colebrooke expressing any disapprobation of his conduct, she suffered him to ride to town on the coach-box of her carriage, whilst Mrs Taffe rode inside. In short, the whole of the affidavit went to shew, that the defendant's conduct had been solely influenced by the representations of Mrs Taffe, and under a belief that that lady was unjustly injured by Lady Colebrooke, in respect to her children. The affidavit concluded by deprecating the punishment of imprisonment, which would be highly injurious to defendant, as a merchant, his personal attendance being constantly required in his business.

No affidavits were offered on behalf of the other defendants.

On the part of the prosecution, the affidavits of Miss Sutherland, Thomas Colebrooke, Esq. son of Lady Colebrooke, and Thomas Mann, the footman of her ladyship, were put in in aggravation of punishment. From these it appeared, that the Misses Colebrooke had, by a decree of the Courts of Scotland, been placed under the sole guardianship of their grandmother, which decree had been confirmed by the Lord Chancellor of England; that an application had been made by Mrs Taffe, to Lord Ellenborough, at his private house, praying that her daughters might be entrusted to her care, but which application had been refu-

sed by his lordship; that the defendant, Parish, was a notorious prize-fighter; that on the occasion in question, Lady Colebrooke's carriage was stopped by the defendants, and the doors of it forced open with great violence; that Mr Boltby on one side, and Parish on the other, endeavoured to drag the young ladies out of the carriage, which they were prevented from doing by Miss Sutherland's placing herself in the lap of one of the Misses Colebrooke; that Mrs Taffe forced herself into the carriage, and took her seat by the side of the young ladies, and insisted that they should leave the carriage, and go along with her, but in consequence of the interposition of the bystanders, the object of the defendants was prevented from being carried into effect; that, however, it was agreed the defendants, Mrs Taffe and Mr Boltby, should go to town with Lady Colebrooke, and accordingly they accompanied her to Warren's Hotel. The affidavit contained other particulars tending to inculpate the defendants.

Mr Denman then addressed the Court in mitigation of punishment, and urged that Mr Boltby had been influenced in his conduct solely by the representations of Mrs Taffe, and not from any improper motive of his own. This topic he dwelt upon and urged with considerable ingenuity, and concluded by remarking, that it was rather singular that the Misses Colebrooke had not made any affidavit, giving their account of the transaction.

Mr Gurney and Mr Nollan addressed the Court in aggravation, urging that Mr Boltby, a person professing the character of a gentleman, and stating himself to be influenced by the feelings of a man of that rank, was little entitled to the favourable consideration of the Court, when he could associate himself with a notorious prize-fighter, armed with pistols, in an out-

rageous attack of this kind upon four defenceless females, one of whom was upwards of 70 years of age. They confessed their surprise that their learned friend should complain that the young ladies had not made affidavits on this occasion.

The Chief Justice.—“I should have been very much surprised if they had taken so indelicate a course.”

The Learned Counsel, in continuation, insisted that a violent outrage of this kind called for the severe animadversion of the Court.

Mr Justice Bayley, in passing sentence, said, “That the prisoners’ offence was one of an aggravated nature, and such as, fortunately for the police of the country, rarely occurred—a systematic plan to way-lay a carriage, in which there was one female 70 years old, and three others under 20; and this was said to be done in aid of Belinda Taffe, mother of two of the young ladies, in order that she might have an opportunity of seeing them. The defendant Parish was not any servant of Mrs Taffe’s, nor any connexion of her’s; and the only account given of him was, that he was a prize-fighter, and had pistols in his pocket, though it was said they were not loaded. He had no connexion with Boltby prior to the assault in question. Boltby’s account was, that he was most reluctantly prevailed on by Mrs Taffe, to assist her in an attempt to see her children, and protect her from the outrage of Lady Colebrooke’s footman. Did he make any inquiry before he engaged in such an undertaking? Did he not know, that if they were detained against their will, and wrongfully, the law would protect them by a Habeas Corpus? Did he know that an application had been made by the mother for that very purpose, and that the application had been refused? Or did he trust implicitly to Mrs Taffe? His affidavit did not state that he had

not full knowledge of all these circumstances. However, he was overcome by Mrs Taffe’s importunity; and he then met her by appointment on Hampstead-heath—not to go to Lady Colebrooke’s house; and he saw (what would have opened the eyes of any reflecting person,) two men with Mrs Taffe, one of them having pistols in his pocket, though not loaded. Instead of remonstrating, he placed himself on a hackney coach. Lady Colebrooke’s carriage came in view, when the carriage on which Boltby was seated so conducted itself as completely to obstruct the way. If he had only wished that Mrs Taffe should speak with her daughters, that might have been done without violence. But what was the case? The doors were opened, and an endeavour made to force the young women out. A waterman, a prize-fighter, and two other men, attacking one woman of 70, and three under 20. Mr Boltby stated, that seeing the young women not so willing to join their mother as he had been led to expect, he desired his companions to cease; by which he had admitted, that down to that time they had acted with outrage. Did he then quit the carriage, and leave Lady Colebrooke to return unmolested? No! he and Mrs Taffe proceeded in the carriage to London, insisting on Mrs Taffe’s right to have the children. Mr Boltby took credit that he had prevented the crowd from increasing the annoyance to Lady Colebrooke. But in what a situation must he have placed that lady, when, from the impetuosity of a violent woman, he had drawn upon her the indignation of a crowd? He had stated the circumstances in the most favourable manner, and according to Mr Boltby’s affidavit. The affidavits on the other side gave a much worse view of the case. He had lent himself most unjustifiably and imprudently to a woman who was not a cool judge of what

she was about to do ; he had lent himself to an outrage, such as fortunately was not frequent. The Court would not do its duty, if it did not protect others from a similar danger ; and however hard the punishment might appear, it was most requisite that before a man acted on such occasions, he should think. The Court therefore sentenced Beltby to four calendar months imprisonment in the custody of the Marshal of the Marshalsea, to find security for good behaviour, to pay a fine of 100*l.* and be further imprisoned till it was paid ; and that Parish be imprisoned for the same period.

**BRODERICK, JONES, AND OTHERS,  
FOR FORGERY ON THE BANK OF  
ENGLAND.**

*Old Bailey, December 14.*

The interest excited at the Old Bailey this morning was very considerable. Nine of the prisoners, who had already, in the course of the sessions, pleaded Guilty to the minor offence, of having forged Bank of England notes in their possession, were induced to retract their plea, and memorialled the Court for that purpose. The request was complied with, and the Judges (Wood and Holroyd) appointed this day for coming down to preside upon this novel and extraordinary occasion.

Soon after nine o'clock, the Recorder arrived, when a number of Middlesex prisoners were brought up for arraignment. The following Jury was sworn :—

Edward Wilkinson, George Goold, Robert Newman, John Lynch, Wm. Abbott, James Windus, James Alderman, John Miller, Benj. Bright, Jere-

miah Blount, Robert Houghton, and John Williams.

At ten o'clock the Judges having arrived and taken their seats, the following persons were put to the bar, charged with uttering and having in their possession forged Bank of England notes, before whom the Jury were called over, viz.—Broderick, Jones, Davis, Clater, Hoffert, Kingston, King, Townsend, O'Hara.

RICHARD BRODERICK was first put to the bar, when

Mr Serjeant Bosanquet addressed the Court. He said he was directed to move that the prisoner should be put to the bar ; but before he should be put upon his trial, he wished to address a few words to the Court. It had, it was well known, long been the custom in cases of forgery, to prefer two bills of indictment against a prisoner, the one for the capital offence, namely, for forging and uttering, and the other for the possession of such notes, knowing them to be forged, which subjected the party to transportation. Nothing had passed, in the course of his long experience, which had given him the slightest reason to doubt that this custom was founded in wisdom, and was calculated to aid the ends of justice. In bringing the parties, however, before the tribunal of their country, they were left to the free and unbiassed exercise of their judgment, in determining whether, to avoid the capital part of the charge and its consequences, they would plead guilty to the lesser crime. This, he repeated, they had an opportunity of doing, without hope or fear, or the exercise of any undue means whatever. The prisoner now at the bar, he understood, was one of those who very recently stood in the predicament of having two indictments of forgery preferred against him, and he thought fit at the proper time to adopt the course



of pleading guilty to the minor offence, and avoiding that which might have affected his life. The Bank, who were, he could assert, ever actuated by motives of mercy, as well as public justice, rejoiced at this, and the plea of the prisoner, made together with many others, was taken. It since, however, turned out, that the prisoner and some of his companions considered themselves hardly dealt with, and had made an application, in the shape of petition, to the Court, to be allowed to retract their plea and take their trials. Upon so extraordinary a determination of the prisoners, it was not for him to comment, but he could assure the Court, that the Bank had no wish whatever, even now, to offer the slightest evidence which might affect the lives of the prisoners, who had been advised to adopt the proceeding of taking their trials. After these few observations, he would now call upon the prisoner to make any application to the Court he might think fit, before he (Mr Serjeant Bosanquet) proceeded farther. A paper, the learned Serjeant said, which was signed by the prisoner and others, had led to the present proceeding.

Mr Baron Wood.—Prisoner, have you any application to make to the Court?

Prisoner.—A paper was handed to me on Friday last to sign, but I don't know what it meant.

Baron Wood.—Do you now wish to retract the plea you formerly made in this place, acknowledging the guilt of having forged notes in your possession? If you do, there remain against you two indictments, one of which is for a capital offence, upon which the Bank have no wish to proceed.

Prisoner.—I don't wish to withdraw my plea. I know nothing of the paper.

Baron Wood.—What paper? Do

you know any thing of the person who drew it up?

Prisoner.—No.

[Here several persons said it was drawn up by one Miller.]

Baron Wood.—Is there a person named Miller present?

No answer was returned.

Mr Brown, the keeper of Newgate, then said, that on Friday an application was made to him by the prisoner and his companions, and that after representing to him the cruelty of their situation, he told them he would communicate whatever they had got to complain of or apply for in writing. In consequence, they gave him a written paper, which he put into the hands of the Common Serjeant.

Baron Wood.—I again ask you, prisoner, do you now wish to retract your plea of guilty, and take your trial?

Prisoner.—No, my Lord; I plead guilty to having the note in my possession, but I did not know it was forged.

Baron Wood.—Then you have pleaded guilty to an offence of which you could not be guilty, for the indictment charges that you knew it was forged.

Prisoner.—I won't withdraw my plea; I plead guilty, and throw myself on the mercy of the Court.

Mr Brown, the keeper, here begged leave to say, that in order that the prisoner and his companions might not assume ignorance of the situation in which they stood; he had, in the most earnest way, communicated with them previous to the time fixed for their trials, and stated to them most fully, the substance of a letter he had received from the Clerk of the Bank Solicitor.

Mr Serjeant Bosanquet.—I humbly trust, my Lords, that this matter may be rightly understood, and that

you will allow that the letter alluded to may be produced and read with this view.

The Court acceded, and Mr Brown being desired to produce the letter, it was read by Mr Shelton, Clerk of the Arraignment. It was signed J. Rooker, and requested that the keeper would fail to communicate to all the prisoners under charges of forgery upon the Bank of England, that their trials were about to take place, and that except *three* individuals only, (Dye, Connel, and another,) they would severally be charged upon *two* indictments, namely, for the capital crime, subjecting them to death, and for the minor offence, to that of transportation.

Serjeant Bonsanquet begged that the Court would now ask Mr Brown whether any other communication was made by the Bank through him to the prisoners.

The Court acceded, and Mr Brown declared, in reply, Most certainly not.

Baron Wood.—Now, prisoner, you have heard what has passed, and find that if you withdraw your former plea, you will again stand charged with *two* indictments, the one affecting your life, the other your liberty, in being removed for fourteen years from your country. It is now for you to say whether you will deny the guilt which you have already acknowledged, and take your trial?

Prisoner.—I will not retract my plea.

Baron Wood.—Then you confess yourself guilty of having the note in your possession, knowing it to be forged?

Prisoner.—I had the note, but declare solemnly I did not know it was forged.

Baron Wood.—Then I again, tell you, you cannot in that case be guilty of the offence. Will you therefore take your trial?

Prisoner.—No, my Lord, I am determined to plead guilty, and leave myself to the mercy of the Court.

Baron Wood.—Take care that you understand what you are about, and do not let this most important business go forth to the world mistaken or misrepresented. Above all, consider well your own situation. Do you now acknowledge your guilt, and again plead to the minor offence?

Prisoner.—I do consider, my Lord, what I am about, and plead guilty.

Mr Serjeant Bonsanquet.—My Lords and Gentlemen of the Jury, the prisoner having now pleaded Guilty to the minor offence, of having in his possession a forged Bank of England note, knowing it to be forged, I am instructed not to offer you any evidence against him upon the capital charge, and you will, therefore, gentlemen, acquit him upon that ground.

The prisoner was then pronounced Not Guilty, and he bowed and retired from the bar.

WILLIAM JONES, a smart young fellow, was next brought up. He was asked by the Court, if he was one of the persons who signed the petition for a trial? and he replied, Yes.

Court.—Are you now willing, then, to take your trial upon both indictments; namely, for the capital and minor offence, by withdrawing your former plea of guilty to the latter?

Prisoner.—Yes. But I wish to know whether, if I am put on my trial for the capital charge, and escape, I shall then be subject to the consequence of the minor, and suffer fourteen years' transportation?

Mr Brown.—He means, my Lords, whether the Bank means to proceed upon the two indictments?

Mr Baron Wood.—With that we have at present nothing to do. The Bank, upon the result of one indictment must be left to their own judgment as to any farther proceeding.

Prisoner.—I was persuaded, my Lords, to plead on the former occasion.

Baron Wood.—Who persuaded you?

Prisoner.—Mr Brown, the keeper.

Mr Brown.—That is a gross falsehood, my Lord. I stated to the prisoners their several situations, but used neither threat or promise, nor did I even advise. What I said was delivered in the presence of others, who were with me for the purpose of witnessing that nothing improper should take place on my part.

Mr Baron Wood.—I believe, Mr Brown, the charge against you is totally false, and the Court believe you have only done your duty.

The Court again inquired if the prisoner had made up his mind now to undertake his trial? He replied, Yes.

The indictment for the minor offence was then read to the Jury by Mr Shelton. It charged him, that on the 18th of November last, in the parish of St James, Clerkenwell, he had then and there in his possession, one bank note for 1*l*., purporting to be the currency of the Governor and Company of the Bank of England, he well knowing the same to be false and counterfeit, contrary to the statute, &c.

To this indictment the prisoner pleaded Not Guilty.

Mr Bolland opened the indictment.

Mr Serjeant Bosanquet stated the case to the Jury.

The following witnesses were then called :—

William Hanks, son of Robert Hanks, a hatter in Holborn, recollects prisoner coming to the shop on Thursday the 19th of November, between seven and eight in the evening, for a low priced hat, for which he agreed to pay 9*s*. and tendered a 1*l*. bank note. Witness suspected the note, and asked his name and address,

and he wrote George Cloyce, Eagle Street; witness being then shown the note, identified it. His father came into the shop, and asked for pen and ink to write prisoner's address, when prisoner said, he had already written it; asked him what number it was, and he replied, it was 15. Witness was then asked to go there, and prisoner said he would go with him; but his father refused, and said he would detain him till witness returned; no such person was known in 15, Eagle Street. Prisoner was in the shop when witness came back, and he was then taken to the watch-house.

Robert Hanks, father to the last witness, was called into the shop on the 19th of November last, in the evening, by his daughter, and went between prisoner and door. Asked prisoner for his address, when he said he had given it on the note. There were two indorsements on the note. While his son went to No. 15, Eagle Street, prisoner was detained in the shop, as witness said to him, "this is a forged note, and you shall stop till my son returns." On this the prisoner said, "he did not see that witness had a right to detain him, even if he had a forged note." Witness replied, "that may be so, but I shall do it till my son returns; for if such a person lives there it may be all right." Prisoner said, that if witness would go with him, he would show him where he took the note, but witness refused to go. After half a minute in silence, prisoner said, "You shall not detain me, for I shall go." Witness told him he should not, when at last he attempted to go out, when witness took him by the collar to prevent him. Prisoner forced his way to the pavement, and there he began fighting as fast as he could, when witness let go his hold to defend himself, and knocked him down in the kennel. As he

endeavoured to rise, witness tried again to seize him, but he ran off; ran after him, and called out "stop thief!" and in two or three hundred yards he was thrown down by a watchman at Chancery-lane, when witness collared him, and took him back to his shop, and sent for a constable. His son then came in, and said no person of that name lived in Eagle-Street. Being shewn the note, he identified it as the one tendered by the prisoner.

Anne Gregg, wife of William Gregg, lives in 15, Eagle-Street, Holborn; prisoner never lived there, and she never saw him before in her life.

Daniel Banning, watchman, proved that he stopped the prisoner, and assisted Mr Hanks in taking him back to the shop.

Samuel Furzeman, constable, saw the prisoner after being brought to the watchhouse. Asked him from whom he got the note, but prisoner said it was of no use, and he would not tell him, as he would not bring four or five more into it. Asked why he gave a false address, and he then cried, and said he knew it was a bad one; and he knew he should go for life.

Charles Ball, milkman, corroborated the last witness.

Thomas Evans, shopman to James Addells, hosier and glover, 2, Coventry Street, said, the prisoner came to the shop on the 5th of November, and asked the price of a cravat, which was 4s., and he tendered a 1*l*. note. Mr Addells came into the shop, but prisoner had written his name and address on the note, which witness now identified.

James Addells, master of the last witness, remembers the prisoner being in the shop. His nephew shewed a note, which he now identifies. He corroborated last witness. Begged prisoner to wait till he saw if the address was correct, but prisoner said he

could not wait, but somebody might go with him. Witness was convinced the note was a bad one. Sent his nephew with him, but kept the note. Prisoner never called again at the shop for the note.

John Addells, nephew of Mr Addells, was sent with the prisoner on the 5th of November, to see if the address was right. Had not proceeded far with him, when prisoner ordered him to go back, and said he would send his master, Mr Boycer, to-morrow for the note. Witness went a little farther, and prisoner said he would knock him down if he did not go back. Prisoner then ran off and made his escape.

Mr John Lees being sworn, gave his testimony to the following effect:—I am an inspector of notes in the Bank of England, and have been so for nearly twenty years. [Here the note passed to Hanks, the first witness, was put into Mr Lees' hand.] This note is a forgery in every respect. The paper is not the same as that used by the Bank of England. The watermark is a forgery. The watermark of the Bank of England notes is put in at the time the paper is made; but in this note the waving seems to have been impressed after the paper was made. The impression of the note is not from the Bank of England plate; the date-line appears to me to be engraved. In the genuine notes, that line is stereotyped; stereotyping is casting the letters in one piece, so that they cannot be separated without being broken, and with that part common printing-ink is used. The name signed here is that of Mr Charles Tabor; he is one of the signing clerks, but this name, I believe, is not his handwriting. I have known and have been acquainted with his handwriting for many years. Witness on examining the second note (that passed to Mr Addells,) said, that it

was forged in every part, and assigned the same reasons as before. The name signed to it was that of Mr Clough, but it was not the writing of that gentleman. Mr Clough had not begun to sign small notes at the time the note in question appeared to be dated.

Question by a Juryman.—Are there any other means of knowing forged notes from genuine ones but those you have already described?

Witness.—There are none that I can satisfactorily describe. With respect to this note there is another, the letters N. O. before the number appear to be engraved, but in the genuine notes they are printed in stereotype.

Juryman.—My lord, I wish to ask another question or two, but I only do so in the discharge of what I conceive a public duty.

Baron Wood.—Certainly, gentlemen, you can ask what questions you think proper. It is right that you should be fully satisfied with the evidence before you decide.

Juryman.—(To the witness.)—Do you think that the stereotype is a characteristic which can be distinguished from engraving by any others but those in the Bank?

Witness.—Yes, I think it can be distinguished by others.

Juryman.—You say that the water-mark and waving in the notes in your hand was executed after the paper was made; how do you know that?

Witness.—From the general appearance of the paper. The waving is done on the Bank paper whilst it is in a liquid state; this has all the marks of having been done after the paper was perfectly made.

Juryman.—Have not inspectors and clerks of the Bank sometimes received and paid forged notes?

Witness.—They have; they always pay them when they take them. [This

answer, we understood, and it seemed to be so understood in Court, to refer only to cases where notes were kept for the purposes of prosecution. In any other sense, it would not be consistent with the answer to the following question.]

Juryman.—Have you ever known of an inspector being deceived by a forged note, and taking it as a good one?

Witness.—I have known one instance; but that in the case of a very old note, which was quite worn, and covered on the back with small pieces of paper, so that it was difficult at first to discover its being good or bad. This was before the system of stereotyping parts of the notes was introduced.

Juryman.—Have you known only of that one instance?

Witness.—I cannot say that I ever knew another. It is possible there might have been another in my time, but I do not recollect it.

Juryman.—Do the Bank ever change their plates?

Witness.—Within the last twenty years they have been frequently changed.

Juryman.—Are the Bank papers which are cut for engraving ever counted to those to whom they are given, or are those persons employed for that purpose ever searched to prevent their taking any of it away?

Witness.—That I do not know.

Juryman.—My lord, I have asked these last questions, because I thought it was possible that a quantity of Bank paper might possibly be stolen from the Bank before impression.

Mr Baron Wood.—Gentlemen. A witness has already sworn that neither of the notes now in his hands are made of the paper used by the Bank of England. No person can use that kind of paper but the Bank, without incurring the risk of a heavy penalty.

## CRIMINAL TRIALS.

By Serjeant Bosanquet.—Is the paper of which those two notes are made Bank paper?

Witness.—Certainly not.

Charles Tabor was next called, and said, that the name to one of the notes was not his writing. There was no other person in the Bank of the same name.

Juryman.—Is your hand so uniform on all occasions, that you could not be deceived by another person writing your name?

Witness.—It is.

Juryman.—How many notes do you sometimes sign in a day?

Witness (as we understood).—Sometimes a thousand and upwards.

Juryman.—Did you ever see your name so well imitated as that you yourself might be deceived by it?

Witness.—Never.

Mr Baron Wood charged the Jury. In his charge the learned Baron particularly commented on the evidence in support of the forgery, and added, that, if that evidence, which had been adduced, was not sufficient to prove forgery, then there was no such thing as forgery, and it would be for ever impossible to convict any man in future of such a crime. Whatever the public opinion might be, relative to the law, the Court and Jury were bound to abide by it as it stood at present.

The Jury consulted for five minutes, and found the prisoner Guilty.

### MARY HUTCHISON FOR PRETENDED WITCHCRAFT.

*High Court of Judiciary, Edinburgh,  
June 22.*

The Court proceeded to the trial of Mary Hutchison, *alias* Arrol, indicted and accused of falsehood, fraud, and

wilful imposition, particularly when practised in order to obtain the money or goods of others, by cozenage and false pretences, more especially when the same is committed under the pretence of being able, by means of incantations and enchantments, to tell fortunes, to cure diseases, and to obtain large sums of money for the persons so defrauded and imposed upon.

The indictment contained four separate charges against the pannel, for pretending to tell fortunes, and obtain large sums of money, and cheat different persons, under these false pretences.

The Solicitor-General stated, that he withdrew the charge, in so far as it depended upon the statute.

The pannel then stated, that she was guilty of part of the charge, viz., guilty of telling fortunes, but the money she received was voluntarily given.

The Lord Justice Clerk then read each charge to her separately, and, from her answers, the Court held her plea to be Not Guilty.

Messrs Hosier and Russel, counsel for the pannel, took an objection to the libel, in so far as the public prosecutor had not particularised the nature of the incantations and enchantments he alleged the pannel to have been guilty of.

The Solicitor-General answered, that it was impossible for him to be more particular than he had been, and, as he withdrew the charge as under the statute, he now charged the prisoner at common law with fraud and falsehood, and cheating and cozening the liegea out of their money under false pretences.

The Court repelled the objection, and it was observed from the bench, that unless the public prosecutor was a teller of fortunes himself, it was impossible he could tell what were the nature of the incantations and enchantments the pannel pretended to exercise.

The charge was for cheating and procuring money under false pretences.

The prisoner having been again interrogated in presence of the jury, pleaded guilty to the fourth charge, which was, of having, on various occasions, during the months of February, March, or April 1818, within the house occupied by John Macdougall, manager of the Westthorn Colliery, in the Barony parish of Glasgow, pretended to exercise or use witchcraft, sorcery, enchantment, or conjuration, and undertook to tell fortunes, and especially did then and there feloniously pretend, by means of incantations or enchantments, to be able to procure for Ann Ross, servant to the said John Macdougall, a large sum of money to the public prosecutor unknown, and did, under that pretence, cozen and impose upon the said Ann Ross, and did persuade her, on various occasions, to pay to the pannel, and did cheat the said Ann Ross out of, and obtain from her divers sums of money, amounting in whole to the sum of L.27, 1*4s.* sterling, or thereby.

The Solicitor-General stated to the jury, that he considered the ends of public justice obtained by the confession of the pannel to this one charge, and that he did not mean to call any witnesses to prove the other charges. The jury then found the pannel guilty in terms of her own confession.

Lord Gillies, in giving his opinion as to the punishment to be awarded, stated, that it was strange to see the absurdity and folly in this enlightened age, of persons living in a land where the doctrines of Christianity were so openly and widely preached, becoming the dupes of persons of the description of the pannel. Did the persons, he would ask, who resorted to the pannel

for her supernatural interference, ever go to church? Did they not know, that all assistance they could obtain in bettering of their worldly affairs and situation in life, behoved to come from the Almighty alone? How then could any person, professing the doctrines of Christianity, suppose that any person like the unfortunate pannel at the bar, could be possessed of any supernatural powers, such as she, it would appear, had pretended to possess? She had candidly confessed her crime, and, as she had already suffered an imprisonment of five months, he should conceive, that a farther imprisonment of six months in the jail of Glasgow would be an adequate punishment for the offence she had committed. A crime of this nature had not for many years come before the Court, and his Lordship sincerely hoped that none of a similar nature would ever again make its appearance.

Lords Pitmilley and Reston entirely concurred in the opinion given; and the Lord Justice Clerk, in a most suitable admonition to the pannel, in which he pointed out to her, not only the wretchedness of her crime, in duping a poor servant girl of so large a sum of money (probably the whole savings of her life) upon so absurd and evil pretensions, but also pointing out the folly and sin of people in an enlightened age resorting to such foolish and superstitious resources, sentenced the pannel to six months' imprisonment in the jail of Glasgow.

The pannel, before leaving the bar, assured his Lordship that she never would have committed the crime she had been convicted of, had it not been for bad advice, and that she never again would put it in the power of the Court to so reprimand her.

## PROSECUTIONS AND MISCELLANEOUS CASES.

PROCEEDINGS IN CHANCERY RELATIVE TO THE MARRIAGE OF LORD STEWART WITH LADY FRANCES VANE TEMPEST.

*Court of Chancery.—Tuesday,  
April 28.*

From the great length of the proceedings in this case, we are obliged to confine ourselves to the summary contained in the Chancellor's speeches. His Lordship began as follows.

"This matter first came before me by a petition presented on the 11th of the present month; and it is a material document, being a petition presented by Mrs Taylor, (lady of Michael Angelo Taylor, Esq.,) and supported by an affidavit, which rendered it my duty to make an order, according to the common course of the Court, to restrain Lord Stewart from contracting matrimony with Lady Frances Vane Tempest, or having any further communication with her upon that subject until my further order. I had hardly disposed of that petition by making such an order, when another petition was presented by Lady Frances, which petition prayed an immediate reference to the Master to receive proposals of a settlement upon a marriage, of which she approved. I have thought it my duty upon this occasion to endeavour to ascertain what has been the situation of the ward, and of the nature of the guardianship of those entrusted with the care of her, appointed on the death of her father, which took place in August, 1813, at the time this young lady was about 13 years of age." His lordship then entered into a minute statement of the facts which occurred from the death of Sir Henry Vane

Tempest to the date of the present transaction. He referred to the Master's report of 1814, made for the purpose of settling a plan for the education of this young lady; and the Master thought proper to find, that Lady Frances should not be allowed to live with either of her guardians, but was to be placed under the care of Mrs Kay, a person of the highest respectability; and Lady Frances, by the same order, was restricted from making any visits, excepting such short and occasional visits to Lady Antrim and Mrs Taylor, as was consistent with her plan of education; and visits to other persons were not to be made without the previous mutual consent of Lady Antrim and Mrs Taylor, the two testamentary guardians; and without such previous mutual consent, no persons were to be allowed by Mrs Kay to visit the infant at home. That report of the Master was confirmed by the Court on the 23d of May, 1814. It appeared that applications were made from time to time to the Court, with reference to the situation of this young lady, founded upon a view of what her health required, and particularly that there was an order made, upon the petition of Lady Antrim, stating what had passed in the Master's office, and the confirmation of the report, and representing that it was proper, with regard to the health of this young lady, that she should be allowed to go to the sea-side, and praying that the Court would find funds to answer for the expence of that alteration in her situation. The Court granted this order, and it was given under the conception that no visits were to be made by or to the young lady, unless by the mutual consent of the two guardians,



Lady Antrim and Mrs Taylor. While at the sea-side, in the spring of 1816, it appeared by the affidavit of Mrs Taylor, that some proposals were made to the young lady of marriage. Although it had been represented at the bar, that no answer was necessary to be given to this assertion, yet that statement appeared to his lordship to be one which had been most properly made to the Court, because Mrs Taylor had referred to that fact as forming a main ground for her apprehension that a similar transaction had taken place in 1818. The affidavit stated "that she has been informed, and believes, that early in the spring of 1816, (the young lady being at that time about 16 years of age,) while at the sea-side, the Countess of Antrim entered into a plan with a gentleman connected by marriage with a noble Irish family, to accomplish a marriage between the plaintiff and a near connexion of his, to whom the plaintiff was unknown. That the nobleman was sent for, and arrived from Ireland, as she is informed, and believes, with the previous concurrence of the Countess, for the purpose of being introduced at the house of the Countess; and previous to such introduction, the Countess explained to her daughter the object she had in view, and instructed the plaintiff not to communicate what had passed to Mrs Kay, or to her guardian, Mrs Taylor; and she has heard, and believes, that Mrs Kay had no knowledge of such intended marriage, until a request was made to her by the gentleman before alluded to, to permit his friend to see and communicate with the plaintiff, who had been ordered for her health to the sea-side."

Mrs Taylor then stated, that, in consequence of her remonstrances, all communications were broken off, and she insisted that she did this, entertaining just and proper feelings as

guardian to the plaintiff. These were circumstances, his lordship observed, which might not only have been contradicted by Lady Antrim, but by other persons conversant with the affair. But these facts had met with no contradiction. Mrs Taylor had reasoned, upon this conduct of Lady Antrim, that it was inconsistent with what was due to the plaintiff, and to herself, as guardian. To this observation he would add, that if it were true that the Countess had been guilty of such conduct, it was altogether inconsistent with the duty Lady Antrim owed to the Court, considering the situation in which she was placed. Not long after this transaction, an application was made to the Court, and indeed it was high time an application should be made, to vary the plan of education which had been adopted; and it now appeared upon a report, which the Master had not been enabled to make until 8th March, 1818, that, in his opinion, an alteration should be made with reference to this young lady's education. This report had been made in consequence of an application made to himself in the year 1817, that the young lady might be introduced at court, and into society; and the Master, in his report, had declared, that by agreement this young lady was to be introduced at court by Lady Antrim, and to visit with Mrs Taylor and Lady Antrim; but added, that if any inconvenience should be felt by this arrangement, a notice by each of the parties would operate as a discharge of his opinion. His lordship then proceeded.—"I thought it my duty to state these circumstances, for the purpose of intimating that it is the opinion of the Court, that a proper care of the interest of the ward has not been taken by Lady Antrim, and I feel it my duty to say this, it having been hinted to me that there was an idea that I should not do my duty. The world shall

know this, that I will not go out of this world disgracing myself by entertaining those principles which have never affected my heart. There never existed a more timid judge in one respect than myself, for I am always fearful lest I should do wrong. Let those who think proper to slander me with anonymous letters know, that I serve a master whom I would not serve if it were possible to be conceived that I should not do my duty. Having said thus much upon this subject, I will now proceed with the question before me." His lordship then adverted to the proposal of marriage which had been made by Lord Stewart, and accepted by Lady Frances, on the 9th of April. That having been communicated to Mrs Taylor upon the 18th April, it produced a petition from that lady, supported by an affidavit. In this affidavit Mrs Taylor stated the grounds on which she opposed this union:—"That, recollecting the plan formerly entered into by the Countess to effect a marriage between her daughter and a nobleman, without having consulted the wishes of the plaintiff, the deponent became apprehensive lest a similar project might again have been devised without the knowledge of the plaintiff." The affidavit then proceeded to enumerate the various personal objections to Lord Stewart, and first, "that he is forty years of age, or thereabouts." His lordship would be thirty-nine years of age in the month of May next; and again, "that he is a widower, with a son not many years younger than the plaintiff." That, his lordship observed, was a very material fact, and one which might illustrate the anxiety which existed out of doors with respect to this case. It was thought, he said, necessary, by somebody, to address an anonymous letter to him, to inform him of a fact which the writer supposed he could not have known before, that it was quite right

he should recollect that this nobleman was a widower, and had a son, which son would interrupt the descent of the title and of the property to the issue of this marriage, if it should take place. He had a very serious command last night to desire that he would not forget that fact. With regard to this anonymous letter, although instances did exist where these anonymous communications had a beneficial effect, yet, with regard to private families, they did an infinite deal of mischief; and by those who address such letters to judges in their judicial capacity, it ought to be understood that they are criminal in the highest degree. What was the conduct of Lord Hardwicke, when he discovered certain persons published partial accounts of trials? he sent them all to prison; and those who are guilty of writing anonymous letters to judges, are deserving of no less a punishment. The next statement in the affidavit was, that Lord Stewart "is the younger son of an Irish peer, without any fortune or provision." The Court would judge what was the mischief of such representation. How she obtained that information she did not state, but the affidavit of Lord Stewart had most fully contradicted this allegation. In the same affidavit it was also alleged, that Lord Stewart was in embarrassed circumstances, and that his habits were dissipated and irregular; and that there were other circumstances objectionable which ought not to be mentioned in open court. First, then, with respect to the allegation, that Lord Stewart was 40 years of age, the information was nearly correct, and the belief was well founded. It was a circumstance, in his judgment, which should be attended to. In the letter written by Mr Whitton for Lady Frances, it had been treated lightly, but it was a fact deserving great consideration. That Lord Stewart was a widower, with a

son not much younger than the plaintiff, were circumstances which also required consideration. With regard to the imputation, that Lord Stewart had no fortune, and was in embarrassed circumstances, he conceived that the assertion was groundless, and ought to have no credence, considering the manner in which it had been met by the affidavit of his lordship. He had no less a sum than £26,000 in personal property, and was free from all debts. The next point in Mrs Taylor's affidavit was, that Lord Stewart was in dissipated and irregular habits. What the habits of Lord Stewart were he could not say; but he could with great truth affirm, that he knew nothing against the private character, and every thing in favour of the public character, of his lordship; and although some persons, going to the fashionable parties at the west end of the town, might catch hold of some idle reports, he individually knew nothing against his lordship. But what was the condition of any man placed before the eyes of the world with such general allegations against his character? He could do nothing more than repel the calumny. A man might be the favourite of his sovereign for his great military exploits, and diplomatic services, and might, as had been observed, naturally attract the attention of a young girl; and all this might conduce nothing to domestic felicity; but, good God, was it to be said that because it might be

so, that it *must* be so? \* And because this affidavit contained these allegations, was it to be said that Lord Stewart *must* have been in dissipated and irregular habits? He did not mean to say that his lordship decidedly was not so, excepting from his own allegations in his affidavit, but, for anything he knew to the contrary, Lord Stewart might be a man of as good a private life as any man in existence. Whether this was or was not the fact, it was the duty of the Master to decide. With respect to the reference to the Master, he wished here to observe, that, supposing that should be his determination, that reference would have no effect in deciding the question; and the Master did not understand his duty if he entertained a notion, that, by sending it to him, it was deciding the whole matter. The question, he observed, was then reduced to this point—whether Lord Stewart's conduct in the negotiation for the marriage had been such, that for that reason, and that alone, the reference ought to be refused. He had no difficulty in saying that if it was justly imputed in the affidavit, that Lord Stewart had been guilty of that conduct which amounted to collusion and concert, in order to acquire possession of the young lady's fortune, he would not grant the reference; or even if that charge was apparently made out, he should hesitate a long time before he should give such a person the opportunity of making

\* Sir Samuel Romilly had observed, “much had been said respecting the favour of the Prince Regent, which Lord Stewart enjoyed; but without, in the slightest degree, meaning anything disrespectful to his lordship, he would only observe, that it often happened that a man might be followed from place to place by the shouts of an admiring multitude, might rank high in the opinion of the country, enjoy the most flattering marks of royal favour, amidst the envy of surrounding courtiers, and yet in his retirement would be found discord instead of tranquillity, mistrust and jealousy instead of mutual affection and concord. He disclaimed the slightest intention of considering the royal favour an objection to his lordship, but royal favour was not an essential requisite to conjugal felicity. That felicity depended not on the number of honours, or the glittering show of military decorations.”

his way to the young lady's fortune. But had such a case been made out? When a man had conducted himself in life with so much propriety, as far as his honour and his character were concerned, as Lord Stewart, it was impossible to say that such a charge of direct misconduct had been made out. But although he said this, nothing on earth should prevent him from declaring, that there certainly had existed some indiscretion on the part of Lord Stewart, as well as Lady Antrim. His lordship then entered into a particular statement of the transactions from the first introduction of Lord Stewart to Lady Frances Vane Tempest, down to the 9th April. The anonymous communications had been four in number; with the facts stated in them he was not acquainted, therefore he was unable to decide upon the effect which their contents would have upon his own mind, supposing affidavits were framed upon them. While the letters

remained what they were, anonymous, he could pay no attention to them. With respect to the lady of high rank, about whom so much had been said, he should say, that there was no evidence to prove a concert or collusion, on the part of Lord Stewart, to get possession of the young lady's fortune. As a judge, ~~the~~ conversation which was said to have taken place between that lady and Mrs Taylor, would have no effect upon him. On the 9th April, the offer was made and accepted; and he had no difficulty in saying, that Lady Antrim should have been a little more considerate than to allow these parties to come to the point, without giving them the opportunity of further deliberation. He was also decidedly of opinion, that neither Lord Stewart nor Lady Antrim should have taken that hasty step without first consulting the wishes of the guardian, Mrs Taylor.\*

Under all the circumstances of the

\* It had been stated in Lord Stewart's affidavit, that his lordship, being at her Majesty's drawing-room on the 26th February, saw Lady Antrim and her daughter; that he had known Lady Antrim, and been introduced to her daughter some time before; that out of common courtesy he had handed the daughter to her carriage, and that this happened by accident. Mrs Taylor, on the contrary, said, that her niece had told her that she expected Lord Stewart at the drawing-room. This was very probable, because, from his rank, there was every reason to believe he would be there, though he positively swore he had not given any intimation of his going there. He had seen the young lady at several public places, and acknowledged that the qualities of her mind had made an impression on him; that he had avoided meeting his Royal Highness the Prince Regent at Lady Antrim's on the 13th March, understanding it would not be acceptable to Lady Antrim, whom he afterwards satisfied; that on the 9th of April he informed Lady Antrim of his attachment to the daughter, whom he saw in the evening, in presence of Mr McDonnell, before whom his proposals were accepted by Lady Tempest; and finally, he declared, that every part of his conduct had been open and candid, and always in the presence of others.

Lord Stewart's counsel also urged, from the arguments of his learned friends, it should seem it was their wish, that when a gentleman wished to marry a ward of the Court, he should come, and beg permission of the Court to make his addresses to the lady. Such certainly was not the practice of the Court, nor was it even agreeable to common sense.

Sir Samuel Romilly, however, replied, there were strong circumstances which he could not pass over. It was very singular to see his lordship at the drawing-room,

case, he could see no objection to the reference being made to the Master ; nor did he see any cause for delay in the present inquiry ; on the contrary, he thought it would be most advantageous for all parties to have the propriety of the union inquired into. It would be acting unjustly towards both Lord Stewart and Lady Antrim, if inquiry were delayed. If the Master should be of opinion that this is a proper marriage, it would be by no means a matter of course that this Court would confirm that report. With respect to the other motion, whether Lady Antrim should be continued under the restraint to which she had voluntarily submitted herself, he felt no difficulty in saying, that, paying no regard to the transactions of 1816, and to the present affair, it did appear to him to be proper to order, that until the Master's opinion should be given, that restraint should be continued. If Lady Antrim felt uneasy at this restraint, she might have an opportunity of applying to the Court whenever she

thought proper, and of giving any explanation she might think expedient ; but there were circumstances in the history of this transaction which did not appear to him to be quite consistent with the duty of a guardian.

JUNE 22.

The Master in Chancery having reported that he considered it a fit and proper marriage, the Chancellor made the following observations :—

Mrs Taylor carried into the Master's office the following state of facts ; (his Lordship then read the state of facts, which stated that Lord Stewart was at the age of forty years, and then described his rank and title.) His Lordship then said, the representation verified what Mrs Taylor represented as a ground of objection to his marriage—namely, that Lord Stewart was of the age of forty years, Lady Vane Tempest being admitted to be of the age of eighteen. It then stated that Lord Stewart was a widower, with a son of the age of twelve years ; a son,

particularly distinguishing Lady Tempest among other females, paying her those attentions which she ought more properly to have received from Mr McDonnell, the husband of Lady Antrim ; meeting her at public places, arranging every thing for a marriage, giving the public every reason by his conduct to believe she was intended to be his wife, while one of the guardians was kept completely in the dark. She was, according to Mrs Taylor's affidavit, introduced to him a few days before the drawing-room—he said a few days, because this was not denied by the other side, but only met with the vague expression of “ some time.” Yet the mother was willingly blind to all that was going on, and had her reasons, no doubt, for not seeing what every other person in the fashionable world saw ; for she made no communication whatever to Mrs Taylor, but, on the contrary, invited her daughter to a dinner party, at which the Prince Regent and Lord Stewart were to be present. That lady of high rank, alluded to in the former hearing of the case, made the communication to Mrs Taylor on the 12th of March, the day preceding this dinner ; and though Lady Antrim was informed by Mrs Taylor of what this lady told her, she on that very day recommended Lord Stewart as a person fit in every respect to be her husband, the very day when the Prince and Lord Stewart were to dine there. With respect to what had been said about suitors coming to his lordship for permission to make their addresses to wards of the Court, he had never for one moment held such an opinion, and, indeed, he was astonished to hear it gravely brought forward. But, in the present case, Lord Stewart had first taken care to secure the affections of the lady, before he applied to one of the guardians, or to the Court.

therefore, said his lordship, about six years younger than the lady whom he proposed to be his second wife. He proceeded to read the state of facts concerning Lord Stewart's relations, and said, that with respect to Lord Stewart's situation in the world, he would observe, wishing to do so in the most respectful way to Mrs Taylor, that it was impossible to look at the affidavit which Mrs Taylor had made, without seeing that that lady, when she represented his situation, did most thoroughly believe that Lord Stewart was a man in the most embarrassed circumstances : that was stated in the strongest language, and no doubt Mrs Taylor did believe it. She could, however, only believe it on the representation made by numerous and respectable persons ; however fallacious, and however unfounded those representations might be, how firmly that belief was entertained, would be seen in the representation contained in this state of facts, then verified by affidavit ; and it was remarkable, that the world had taken such an interest in this business, that among other anonymous information, he had received anonymous information as to the circumstances of Lord Stewart, which was now verified to the satisfaction of the Master. The affidavit stated, that his different appointments of Colonel of the 28th regiment, of Ambassador to Vienna, and others, amounted to 15,700*l*. His Lordship said, he would take them all to be appointments subject to the pleasure of the Crown : that, with respect to his personal property, he had personal property which he estimated at 26,000*l*. and that his debts were only his Colonel's expences for a few months, and some articles that were furnished for his use in his way to Vienna. That he was tenant for life in the possession of estates in the county of Londonderry, which were in the occupation of his

father, for which his father paid him 2,000*l*. His lordship then went on to state the different estates of which Lord Stewart was possessed ; by which it appeared, that if he survived Lord Londonderry and Lord Castlereagh, he would then become entitled to a family estate in Downshire to the amount of 18,000*l*. a year, and succeed to the title of Lord Londonderry. He had no doubt that Lord Stewart had a son by his marriage, and that was a circumstance which might intercept the descent in second marriage, it might prevent the issue of the second marriage ever taking any interest in the estates of Lord Stewart. At the same time, when he recollected how many accidents in life bring forward successions that were not thought possible to take effect, it was a contingency not without value, and the son of the second marriage might become the owner of all his property ; but, recollecting in what profession Lord Stewart was brought up ; recollecting in what manner Lord Stewart has, at least as a public man, passed his life, from the age of twenty-one to forty, it was calling upon him to impute to Lord Stewart the character of the meanest wretch that crawls upon the earth, if under such circumstances, on anonymous testimony, let the witnesses be who they might be, he was to say Lord Stewart had no object in marrying but the lady's fortune. He proceeded with the state of facts, detailing the expectations of Lord Stewart with reference to his property ; he had no doubt that, if the marriage went on, those expectations would be made good. It was a circumstance proper to be noticed, that Lord Londonderry and Lord Castlereagh had proposed to postpone their own interests, in order that a jointure might be secured to the amount of 30,000*l*. With respect to Lady Frances Vane Tempest's property, it

appeared to be 1,400*l.* a year, in Ireland ; and as to her English property, its value depended upon collieries, one of which was held under a lease from the Dean and Chapter of Durham ; that lease would expire in about eight years, and it was understood there was a considerable difficulty upon the subject of renewing. She had, however, independent of that, a very considerable fortune, but much less than the world had given her credit for ; it had happened to her, as it had to many others, that the world had supposed her to be three times as rich as she really was. The first question for him to decide was, what was the weight of Mrs Taylor's objection on the ground of disparity of fortune. His lordship, on this part of the question, referred to the case in which Lord Thurlow had decided against a marriage, on the ground of disparity of fortune, though the Master had reported in favour of the marriage. The opinion of Lord Thurlow had been confirmed, on appeal to the House of Lords. That case differed widely from the present one ; there, the person who had proposed the marriage had only 500*l.* a year allowed him by his father, 300*l.* a year as ranger of a park, and 100*l.* a year in his own right. Another case was that of Lord Carteret, who had paid his addresses to Miss Watson. Lord Carteret was a man of rank, but of no fortune. Lord Thurlow's mind had long vacillated upon that occasion ; but, at last, sensible that the affections of the young people were too closely united to be severed, he had consented to the marriage. In the present case, there was rank, fortune, and he hoped character, and very great connections. The lady had a fortune equal to a provision for any family ; therefore, neither the authority of the cases cited, nor a just view of the subject, led him to think there was any disparity in

point of fortune, particularly when it was considered that Lord Stewart had purposed to make such settlement as the Court should think proper. This proposal having been carried before the Master, Mrs Taylor had offered her objections ; they consisted of a refutation of all the statements in the affidavits. She objected to him as a suitor to her niece, on account of his age, character, the situation of his property, and other circumstances stated with regard to his family. His Lordship then proceeded to state the four objections to the report, and answered them in their order. With respect to the first objection, the age—as to age, Mrs Taylor had stated the age of Lord Stewart at forty, that of her niece at eighteen ; and added, that after the most diligent inquiry, she felt herself compelled to repeat, that she believed his disposition and habits were dissipated and irregular, and ill-suited to promote the happiness of domestic life. The other objections of Mrs Taylor against Lord Stewart, referred to his having a son, who would inherit his title and property ; that insanity had appeared in certain branches of his family. His Lordship said he should not enter into an examination of the reasoning in the Master's report, as to the advantage of a young lady having a husband of mature age ; for his own part he could not think disparity of age was any recommendation. It was a point which it was the duty of the friends of the lady to represent to her. Although it did not follow, that because a man was forty years of age, that he was therefore of mature judgment ; yet it seemed a fair inference of the Master, that Lord Stewart, having spent his life in the attainment of every honour that every country in Europe could confer on him, was entitled to be looked upon as a person who had well conducted himself, and as a

man of sound judgment and high character. The second objection was with respect to Lord Stewart's having a son, who might intercept the honours of the family. If this was a marriage in which the affections of the lady were engaged, was he to say, merely because her son could not have a British peerage, that therefore it was an improper marriage? On this point, therefore, he thought he was not justified in saying that the Master's report was erroneous. He now came to the third objection, namely, that regarding the character of his lordship. He gave Mrs Taylor credit for a conviction in her mind that the representations made to her were true and well founded. It was first stated by Mrs Taylor, to which she had now repeatedly pledged her belief, "that his disposition and habits are dissipated and irregular, and are very ill suited to promote the happiness and comfort of domestic life." This declaration did not form the substance of the first affidavit. In answer to this accusation, Lord Stewart pledged himself upon his oath that the whole was fallacious, and he seemed to have felt the imputation strongly, for in another affidavit he challenged the whole world to state a single fact upon which such an assertion could be founded. Sir Samuel Romilly had said on Saturday, that this Court was "a domestic tribunal," and that he (the Lord Chancellor) was to sit there in the character of a parent, as contradistinguished from that of a judge; and Mrs Taylor having made this representation, he was bound to give credit to it without inquiry. If that were the case, he did not know what reason he had to sit there. A great deal had been said about legal evidence, but if he understood the Master's report, one great difficulty was to determine of what fact this testimony was evidence, supposing it were

legal. Was it an imputation upon the moral character of his lordship? If so, it ought to have been so put; and if it were an imputation that he had irregular habits, it was necessary that he should be acquainted with specific facts, or how was he able to judge, whether they were calculated to disturb domestic happiness? There was a very great difference between statements made by third parties, where the intermediate person put her own construction upon the facts related, and when the persons themselves voluntarily came forward and stated all they knew. He could not help saying again, that if character was to be thus attacked by anonymous witnesses, and no opportunity was given to meet that attack, there was no safety for any individual in existence. He could not, therefore, as a just man, as a father, or as a Judge, lay stress enough upon this allegation to act upon it as a good objection. Sir Samuel Romilly, whose judgment either as a gentleman or a father, he believed, was as sound as any man living, or had lived, put the case, that supposing the Lord Chancellor was the parent of this young lady, would he make all those inquiries; and would he not be contented with the assurances of Mrs Taylor? To this he would answer in the affirmative. It was also very remarkable, that the person who was sent to Ireland to make inquiries respecting the family of Lord Stewart, never gained one tittle of information relative to the alleged irregular habits of his Lordship.

The next objection is of a nature which to be sure imposes a duty most painful and difficult. It is, nevertheless, a duty imposed upon the Court to consider it, and the Court must do its duty, whatever may be the consequence. I make no observations upon the conduct of those persons who think proper to get information, which



is conveyed to a Court of Justice, without that Court having the opportunity of knowing any particulars upon which it can act. If it was felt by any one that it was his or her duty to make the representation, with a view to protect this young lady from one of the greatest calamities that could befall her, it is for them now to determine whether they will effectually protect her. The objection is, that hereditary diseases exist in many parts of the family, and particularly of the mind. Those who know any thing of the family, know that it is a very numerous family, and also a highly respectable family. Whether individuals are or are not justified in making these representations, the effect of which, for any thing I know to the contrary, may spread far and wide, I do not know; but this I know, that it would have deeply affected my mind, and I should have considered a long time before I should have ventured to have made such a representation under such circumstances. The only instances of the nature alluded to are two; one of these cases has been brought forward, in a manner which does great credit to Colonel Wood, and does also Lord Stewart great credit. Lady Caroline Wood, by extremely bad management in child-birth, (I believe by bathing in the sea,) had her mind affected by a temporary derangement. If that was only a temporary derangement, God forbid that I should take it as evidence of an hereditary disease. That it was a temporary derangement only, I understand, from the evidence given before the Master; and I concluded in my own mind, that the medical men understood the subject upon which they have spoken; which they had mentioned in a way in which it is impossible to doubt what the fact really was; and Colonel Wood himself has given the description of the affair before it took place, during the con-

tinuance of the malady, and subsequently. This account has been fully confirmed by the medical persons who attended her, who describe the nature of her disease, and who have inquired into the diseases of the family, and of many of the collateral relations. The only other instance, and upon which evidence has been given before the Master, is that Lady Londonderry in 1782, now nearly forty years ago, was afflicted by a derangement; whether temporary or hereditary was a question in dispute. Certain it is, she was deranged; but that is also accounted for precisely in the same manner as the last case. Respecting that letter which has been characterised as virulent, I will go this length in declaring that it does infinite discredit to the person who communicated it, dictated in such terms. Lord Stewart had made affidavits upon this part of the case also, and had mentioned in the affidavit the noble lord who had been alluded to by Mrs Taylor in her state of facts. He was confident no man of honour would have made that affidavit, if he had any doubt as to what the opinion of that noble lord was. There was, in addition, this very strong fact, that this intercourse had ended in the union of the son of the noble lord with a lady of the family of Lord Stewart, (we understood this to allude to a marriage which had lately taken place between Mr Law, son of Lord Ellenborough, and a sister of Lord Castle-reagh.) When he considered that a mother had given her consent, who was also one of the guardians, he could not forget the transaction of the spring of 1816; and he must weigh the value of that consent, regard being had to that circumstance, and to the other circumstances connected with the case. Mrs Taylor had repeated that it was a plan and concert between Lady Antrim and Lord Stewart, and other persons, to get possession of the

fortune of Lady Frances Vane Tempest, and circumstances did certainly appear in this business which it is incumbent on Lady Antrim to account for. He had read over the papers on this subject over and over again until he had almost got every word by heart, and he certainly was of opinion, that although Lady Antrim did intend to make, by all the means in her power, a union between her daughter and Lord Stewart, yet the latter was not implicated in the transaction, excepting in so far that he should have thought it would have been better if the proposal had not been quite so hastily made, and if Mrs Taylor's opinion had been asked before the offer had been given. This was the general view he had taken of this subject, but, as he stated at the outset, since he had heard the Counsel on Saturday, there were still some points, with reference to which he wished to avail himself of a few hours' consideration. Whether he should or should not direct further inquiries to be made, he had not yet determined. He also stated at the outset, that whether he did or did not adopt that course, he felt it to be his duty on a former occasion, and he should now again think it incumbent, to have another private interview with Lady Frances Vane Tempest, to state all the objections that had been made with all the force with which they had been stated to him; and he should call upon her to consider these objections, with such assistance as he could give the young lady by the reflections he might make upon them, in order to ascertain her final inclinations. All he could say in conclusion was this, that he had been influenced neither by favour or affection, excepting that which belonged to an honest man, and an honest judge; and a man who recollected he had at his disposal the happiness of this individual, and not a more deserving

individual scarcely ever existed, would believe he had a difficult duty to discharge. If he had erred, he had the satisfaction of knowing that there was an opportunity of having that error set right in another tribunal; at least he hoped he should not be accused of wilful error. To-morrow or Wednesday, therefore, he would let the parties know what he should further order upon the subject.

JULY 13.

The Lord Chancellor entered his private room a few minutes before ten o'clock, and, for a short time, spoke with the counsel in the case. At a quarter past ten his lordship took his seat, and began by observing, that he had taken this case of Tempest v. Ord into his most serious, and, he must own, painful consideration, from an ardent anxiety to do what was best for all parties. With respect to the bias of the young lady's inclinations, he was formerly of opinion that sufficient evidence of that had been laid before him. When he had stated his opinion before on the case, he had seen her, and after hearing what was stated by counsel, he felt himself bound in justice to see her again, and state to her, in the strongest manner he could, every objection which had been urged against the marriage, and in doing so he could declare he had acted with the most painful solicitude for her interest, and that of all concerned. But he found her determination was wholly unalterable, and seeing such to be the case, he felt it was proper to make some inquiries respecting the points which had been laid before him, and which to repeat now was totally unnecessary. In the course of investigating these points, he had a motion submitted to him for appointing a commission to examine witnesses on the case, but he was not able to find one instance where a commission had been

so issued. He had, therefore, been compelled to have recourse to affidavits. Here he would say that it was difficult and painful for him to state in Court what was stated in these affidavits, but he would do so in such a manner as would be intelligible to counsel on both sides. For a very long period no imputation whatever of that kind had been thrown on the numerous family of Lord Stewart's ancestors, and in two instances that malady had been satisfactorily accounted for. It was too much to expect him to visit on the present generation what had perhaps existed in the former generations, though not for a very long period; for were he or any Judge to act so, there was no possibility of knowing to what extent the principle might be carried, and no family could be safe. There certainly was a vast difference between what was now the case, and what might have happened some centuries ago. Under all the circumstances of the case, looking as he did to all the facts laid before him, and taking the objections in whole, and also separately, he did not, and could not think the Master had come to a wrong conclusion. These he had stated to the young lady with all the pathos he possibly could, as he thought that proper. He had heard an appeal would be taken to the House of Lords, and he would say he had no objection to such appeal, for to the decision of that House he was at all times ready to bow with satisfaction. He would thereby have the satisfaction of knowing, that if he was wrong their Lordships would have it in their power to set him right. Till he knew whether such an appeal was to be made, he would, of course, issue his order to *restrain* the marriage, and as to the other restraints, relative to the intercourse of Lady Autrim, &c. it might be as well to do them away. Never in the course of his life had he

been employed in a more painful, and to him a more distressing duty, than the consideration of this case, but he trusted it would be believed he had acted with an honest intention and a good conscience. He had considered all the objections of the case, he had weighed the circumstances of the disparity of age, the son of Lord Stewart, &c. but while he was not prepared to say this was an eligible marriage, he could not, laying his hand on his heart, say, as an honest man, that it was an improper one. If Sir S. Romilly intended to appeal to the House of Lords, he hoped Sir S. would let him know in a reasonable time, and then he would make the order he had mentioned.

JULY 15.

The Lord Chancellor came to Lincoln's Inn Hall at ten o'clock, and was for some time occupied in his private room. He took his seat at half-past ten.

Sir Arthur Piggott then said, "That he had consulted with the counsel on the other side, and understood from them, that it was the fixed determination of Mrs Taylor, the aunt of the young lady, and one of her guardians, to appeal from his lordship's decision to the House of Lords."

Sir Samuel Romilly at this moment came into Court, and addressing his lordship, said, "I am, my lord, desired by Mrs Taylor, to inform your lordship most respectfully, that it is her intention forthwith to appeal to the House of Lords, from the decision now given by your lordship."

The Lord Chancellor.—"I was just informed of this, Sir Samuel, before you came into Court, by Sir A. Piggott. I am particularly glad that you have adopted this course, because, in a case so painful to me in every point of view as this has been, I shall have the heartfelt satisfaction of being

right by the House of Lords if I am wrong. Painful as the consideration of this case has been to my own mind, I am happy to think that a superior tribunal will have it in their power to review my judgment, and that any error or inadvertency I have been guilty of will be there redressed. I have just stated to Sir Arthur Piggoth what should be done, and I do really think I am in justice bound to restrain the marriage in the mean time. This is the best thing I can possibly do for the parties. Take the order as I have mentioned it, and let it be drawn forthwith."

**THE DUKE OF MARLBOROUGH FOR CUTTING DOWN THE WOODS AND OTHERWISE INJURING THE ESTATE OF BLENHEIM.**

*Vice-Chancellor's Court, December 18.*

This case came on for argument before his honour the Vice-Chancellor, upon demurrer to an information filed by the King's Attorney-General, at the relation of the Marquis of Blandford and others; and to a bill filed by the Marquis and Ellis Agar, Esq. The information and bill complained, that the present Duke of Marlborough had cut down a great number of trees serving for the shelter and ornament of Blenheim-house, situate on the manor of Woodstock, in the county of Oxford. This house, manor, together with the hundred of Wootten, had been settled on John the first Duke of Marlborough and his successors by Act of Parliament, as a testimonial of public gratitude for his eminent services, and for the splendid victories which he had achieved. By that Act of Parliament, the descent of these estates had been limited to various branches of the family in succession,

for the declared purpose of leaving to posterity a memorial of those great events. The present duke was engaged in cutting down timber, which is alleged to be material to the value of the estates; and to be making alterations in the mansion-house, tending to the great waste and impoverishment of the property so descendible according to the provisions of the act of settlement. An injunction had been granted on an ex-parte application, during the last term, by the Lord Chancellor, to restrain his grace from further proceedings, in order that the question might be fully considered, and without delivering any opinion upon the merits. In consequence, however, of his lordship's continued indisposition, and the urgent nature of the case, the cause itself had been transferred to his honour's paper.

Mr Bell, and the counsel on his side, in support of the demurrer, on opening the pleadings, recited the principal provisions of the act of the 4th of Queen Anne, which respected the original grant by letters patent, and the subsequent act of the 5th of the same reign, by which its conditions and limitations were prescribed. It was apprehended on their part that this was a question which must be ultimately determined, not so much by general principles, as by the authority of cases similar in their circumstances to the present. The first point that must arise would be upon the construction of the Act of Parliament; and the other side would be driven to contend, either that this was not an estate-tail, or that the rights of a tenant in tail were taken away in a great measure by special provisions of the act. Now it appeared that a fee was vested in the first duke by the Queen's letters patent, which the Act of Parliament of the 4th of the Queen was merely intended to render valid; because a statute had been passed in the first

year of that reign to prevent the alienation of crown lands. The second act, in the following year, proposed certain limitations, to which the duke assented; but it could not be construed to have divested the fee which he had already acquired. If this view of the case were correct, the crown had no reversion, that reversion being in the heirs at law of the first duke as the donor; and, therefore, it was not easy to perceive what authority the crown here had to interpose, or why its law officers should appear as if any encroachment was supposed to have been made upon its rights.

The Vice-Chancellor intimated it as his clear opinion, that in the present case there was no reversion in the crown.

Mr Bell, on resuming, observed, that he should consider that the demurrer was therefore allowed as respected the information, and confine his other objections to the allegations contained in the bill. After quoting various statutes and decisions to prove that there could be no ground of law for this action, he observed, if the plaintiff's bill were supported, the present mansion must stand for ever without any alteration, however essential to the comfort of the owner, or the habits of modern life.

The Vice-Chancellor said, that was certainly the extent of the prayer of this bill, that Blenheim-house should remain to all eternity as a monument of the taste of the age in which it was built.

The counsel for the defendant went on to contend that this would apply to any the smallest alteration even of the coach-house, in adapting it to carriages of more recent construction, or to the cutting down of trees planted by particular tenants. Not a stick must be cut, and the timber must be allowed to rot, till a plough might be driven over the land. How was it that

such a rule had never before been applied to the numerous and extensive alterations made on the face of the estate? Under such a rule, the gardens must have remained in what was called the Dutch taste, and the trees in the grotesque shapes originally given to them. But the grounds had been laid out upon an entirely new plan, under the direction of the celebrated Mr Brown, and several acres of the finest meadows in Oxfordshire, inundated for the purpose of beautifying them. After several other remarks of the same import, the argument in support of the demurrer was concluded by objecting to Mr Ellis Agar's right to be made a party to this suit, he having only a remote possibility of succession to the estates in question.

The Solicitor-General, on the other side, began by stating that this was a question not only important as it affected the rights and estates of the house of Marlborough, but as it would affect the interests of many other noble families. The argument contended for by his learned friends was no less than this—that the present, or any future Duke of Marlborough, had such an interest vested in him, as amounted to an absolute and uncontrolled authority to destroy a monument, raised by public gratitude to commemorate the unparalleled exploits and services of their ancestor. He was sorry that this question had been raised, and should be more sorry for the consequences to which it might lead if a decision should be pronounced unfavourable to the present complaint. He knew that in coming to that decision the Court could not look to consequences, but must be governed, as in other cases, by principles and authorities only. The importance of the decision, however, was sufficient to induce it to pause, and to deliberate most cautiously, in ascertaining the precise weight of all the authorities which

could be brought to bear upon the question. It was admitted that the Duke of Marlborough had cut down, and was proceeding to cut down, timber originally planted for the ornament of the estates, to the possession of which the titles and dignities were annexed by Act of Parliament. In maintaining that he had no right to commit this species of waste, he was not driven to contend that he was debarred from cutting down trees of every description, and should not therefore consider the subject in that light. Neither should he here argue, after what had fallen from the Court, that the crown had any reversionary interest in the property. What he was about to submit was, in support of the title, both of the Marquis of Blandford and Mr Agar, to the remedy which they sought by the present bill. It appeared to him, that there was some doubt with regard to this being a tenancy in tail. After the passing of the first act, by which the estates were conveyed in fee to the first Duke of Marlborough, it was thought better to unite the titles with the estates, and a second act was passed for that purpose. Now there could be no tenancy in tail so created of a title. Why also had a power of leasing been granted, if a tenancy in tail which in itself implied that power, had been intended? It was admitted that the act restrained alienation, and there again it was without a material feature of such an estate. Although the reversion of the fee was not in the crown, he should submit that the information by the Attorney-General must be supported in point of form, as the crown had still an interest in the preservation of all estates granted at the national expense, and for the celebration of great public events. If he was right in this doctrine, the appearance of the Attorney-General was the more necessary in this case, since it was maintained on the

other side, that the present duke had a right to pull down Blenheim-house and leave it a blank, if he should think proper. Mr Agar was joined in this application, as possessing a vested remainder, subject to the antecedent limitations. Having made these observations on the form of these proceedings, he would trouble the Court with a few remarks on the general arguments adduced, with reference to the merits of the case.

The Vice-Chancellor now rose, it being half-past three o'clock, and the Master of the Rolls sitting at six. The further hearing was necessarily postponed.

DECEMBER 19.

The Solicitor-General was further heard on behalf of the plaintiffs. He contended that he was more confirmed than ever in argument, that the duke was not an heir in tail; first, because if he were so, and was to marry, making no settlement on his wife, then, at his death, she would be entitled to a dowry. In the second place, as the estates were limited to heirs male, and failing them, to the daughters, the title must go solely to the eldest daughter, while the estates must be divided equally among all the daughters, and this upon the principles of common law. Thirdly, he could not think it was the intention of Parliament that the successors of the great Duke of Marlborough should have a larger interest in the estates than the duke himself had; for they themselves had no claim to the property, except as his heirs. The old decisions of the Court on this subject had never been shaken, for the present Lord Chancellor had founded his judgment upon them. If the duke was permitted to cut down trees, and dilapidate the estates, he might also pull down the mansion, and at once obliterate every recollection of public gratitude for the services of his

great ancestor. Another argument to shew it was not an estate in tail, was, that of the title descending to a daughter; that daughter might marry, and her husband would of course become tenant by courtesy. Assuming, for a moment, that the duke was tenant in tail, the Court was bound to interfere, and prevent him from committing an extravagant and imprudent waste. The country was deeply interested in this question, and they had a right to see that this monument of British gratitude was not destroyed, to gratify the caprice or satisfy the necessities of any possessor. God forbid that he (the Solicitor-General) should accuse the duke of sordid, selfish motives; but no person could answer for his grace's posterity. He concluded by hoping that the demurrer would be overruled.

Messrs Heald and Sidebotham followed on the same side.

Mr Bell was about to reply, but the Vice-Chancellor did not think it necessary.

The Vice-Chancellor delivered his judgment. He referred to the Acts of Parliament passed in the reign of Queen Anne, for vesting Blenheim-house and its domains in the Duke of Marlborough, as a mark of gratitude from the country, and a reward for his military achievements. He considered that the limitations in these Acts of Parliament left in the Duke of Marlborough the absolute ownership of the property, subject only to the disability of levying fines or recoveries, with a view to its alienation, or settlement, different from the course adopted by the legislature. All that had been done by Parliament was for the purpose of preventing the possessors of Blenheim-palace from injuring or defeating the rights of their successors. It did not lessen a single incident belonging to the rights of their successors. It did not lessen a single incident belonging to the rights of the possessor. It left

him, as a tenant in tail, in the enjoyment of the common and statute law rights belonging to a tenant in tail, with the exception, that he was not to have the power of levying fines, or recovering, or doing any act tending to alienate the property. The legislature, therefore, left the then and every subsequent Duke of Marlborough absolute owner of the timber. It had been said, that this estate, which was a national monument, would, by the exercise of the right insisted on by the defendant, be at the mercy of every successor. Arguments, *ab inconvenienti*, were of importance, when a Court was considering the intention of the author of a grant, or when there was any doubt as to the intention of the granter; but when there was no doubt, when the words were too plain to be misunderstood, arguments of inconvenience amounted to nothing. In this case he was of opinion the construction of the statutes under which the Dukes of Marlborough enjoyed Blenheim-house and lands, were clear and distinct, and that the argument of inconvenience ought to have no weight. Among other things, it had been said, that the Duke of Marlborough might to-morrow lay the whole of his estate waste, and reduce this noble mansion and spacious domains to a barren heath. True, he might do so. He derived an uncontrollable title from the legislature; he might do what he pleased with the property, with the exception of alienating it. Why did the legislature leave him at liberty to do so? The legislature had undoubtedly reposed confidence in the illustrious Duke of Marlborough, the first object of its gratitude and bounty, and intended the same confidence should be reposed in all succeeding Dukes of Marlborough, that they should deal with the property as became their rank and dignity; and was it for a Court of Equity to rescind that confi-

deceit which the legislature had thought fit to bestow? Undoubtedly not. Inconvenience was an argument often fairly addressed to a Court, but the legislature had itself calculated on those feelings which belonged to all great and good minds; they had considered that the future possessors of Blenheim would feel a pride and an honour in maintaining that national monument which was a tribute by the country to their illustrious predecessor, and it could not be supposed that the present Duke of Marlborough would so far forget what was due to his honour as to deal improperly with his property.—Judgment for the defendant.

DECEMBER 21.

The Vice-Chancellor stated, that, in reconsidering the subject, he had discovered an act passed by the House of Commons, allowing 5000*l.* a-year out of the revenue of the Post-office, for the perpetual maintenance of the house and estate of Blenheim. This appeared to him to imply an obligation to preserve them in their complete and ornamented state. He saw ground, therefore, for reversing his own decision. The case, however, was appointed to be farther argued on.

DECEMBER 21.

The Vice-Chancellor suggested to the counsel on both sides the propriety of their arguing this case in the same way as if the Act of Parliament, granting the pension to the duke, had been alluded to in the pleadings.

Mr Bell, as counsel for the Duke of Marlborough, opened the case. He was perfectly aware of the disadvantage under which counsel laboured in supporting a demurrer; and before he proceeded to the consideration of the act, he thought it right to make two general observations. Unquestionably the commission of waste of some kind or other was incidental to an estate

like the present, and it was the duty of the other side to shew that there was some specific provision in the Act of Parliament, which prevented the Duke of Marlborough from having and using that right which other persons could do. If the legislature intended to take away the rights of a family of the duke, they would unquestionably have done so in the act, and their silence on that subject was, therefore, to be viewed as expressing a wish on their part, that the estates should rather be left to the honour of the noble family, to prevent and guard against any dilapidations. He was confident that the legislature never intended, and never would have introduced, such restraints into the act as were contended for by his learned friends. Had they done so, they would have condemned the noble dukes to inhabit for ever this house, whether ruinous or not, just as the Parliament of Henry III. did a celebrated baron of that time to dwell in his feudal castle, though such castles would now be viewed as dungeons. On the very same principle, no successor of the duke could be at liberty to cut down any timber, though he nevertheless might have planted a great deal. Supposing that the great duke had chosen to plant his grounds in such a manner, that the victory of Blenheim would have been described by the rows of the trees, and supposing one of his successors had chosen to plant other trees in the form of the twelve signs of the Zodiac, then, according to the arguments of his learned friends, none of these trees, however ludicrously planted, could be at any time removed by a successor, but must remain to all eternity ornamenting each other.

The Vice Chancellor thought the question did not go so far as it had been so humorously stated by Mr Bell, unless it was to be argued, that the Court was to prevent every kind



of cutting down. If the legislature had left the grant without restriction, the family had unquestionably a right to make such alterations and improvements as were necessary for their comfort and convenience, and also for the preservation of the property; but though this was the case, it by no means followed that any duke had a right to cut down or commit such acts as would amount to a destruction of the estate.

After Mr Bell and other counsel had farther argued the subject, the Vice-Chancellor pronounced his judgment, which he commenced by stating that he had, since he called the attention of the Bar to the particular act now in question, maturely reflected upon its provisions, and had just listened with the utmost attention to all the arguments which Counsel had urged concerning them. He felt himself bound to say, that he disclaimed for that Court any power of construing an Act of Parliament against the express intention of the legislature. It was the duty of Courts of Equity, as well as of Courts of Law, to decide according to the meaning of the act; but that meaning was often to be collected, not from express prohibitions, but clear and necessary implication from the whole language of the statute. Another principle as well established was, that when there were different Acts of Parliament, in *pari materia*, or dealing with the same subject matter, such acts were to be taken as explanatory of each other. It was not enough to look at the provisions of one as decisively indicating the intention with which it was framed; that intention must be collected from an examination of all, and from the degree in which one modified or explained the other. The first question, then, in the present case, was, did the record impute to the Duke of Marlborough conduct which was inconsistent

with the restraining power vested in that Court? If the duke did not mean by this demurrer to assert his legal right to exercise those acts the intention of committing which was alleged in the petition, that was another question, into which the Court was not now called on to inquire. The proper time for that consideration would be when the motion for dissolving the injunction should be made. He agreed that the waste which he was charged with intending to commit must be regarded as waste *ejusdem generis*, the improper cutting down of timber, which he was described as having already committed. He must, however, be considered by this demurrer as asserting an absolute, unrestrained, and unqualified right to cut down any timber on his estates in the manor of Woodstock. But if he had no power to destroy Blenheim-house, as little could he cut timber necessary to its ornament and shelter; and this observation brought the whole question fairly before him. Now, on attending to the recitals of the three different Acts of Parliament adverted to, and especially to the language of the third, did not every man, he would not say every lawyer, see at once what had been the intention of the legislature? The first act took no notice of Blenheim-house, because the building was at that time only in progress, and its object was merely to carry the queen's bounty into effect, by vesting the fee of the estates granted by her majesty in the first Duke of Marlborough. The succession under the act was limited in the usual way to his heirs in the male line; but it was afterwards thought desirable by the country, in order to give precedence to the duke's family, to confer some mark of pre-eminence distinctively, and the succession was enlarged to his heirs female. This honour originated in the House of Lords, and when about to receive it,

the duke himself appeared to consider it as more provident to annex his estates to the title and dignities ; and therefore exchanged his fee-simple for a fee-tail, qualified by statutory limitations. The second act was then passed, for the declared purpose of better settling on his posterity the honours, dignities, and possessions, which he had derived from the public gratitude for his eminent services ; and for the annexation of the house and manor of Woodstock, to go with the said honours to his successors. Now the true construction of these acts could only be derived from the third, which passed immediately afterwards, and appeared to him to be most material. The first impression of a lawyer, in looking exclusively at the two former, must no doubt be, that a tenancy in tail, with all the incidents, not taken away by the words of the acts, had been created. They might, nevertheless, mean to annex the house as a distinct and inseparable subject, not as a mere incident, to the estate tail. They might mean to give an individual character to the house, and to regard it in itself as a monument for perpetuating the honours of the family. Let them look then at the title and preamble of the third act originating with the House of Commons, and making perpetual an annuity already granted for the queen's life of 5000*l.* out of the revenues of the Post-office. The second act on this subject, the 5th of Anne, ch. 3, might be supposed equivocal, but as explained by the one following, made by the same legislature, and almost at the same time, it left no doubt whatever on his mind. Its recital was extremely important, and manifested, in the clearest possible manner, what had been the purpose contemplated by the preceding act. It contained the following words :—" In order that there may remain to all ages a record emanating from each of the

three branches of the legislature." The Sovereign had granted the house and estates, the Lords had settled the honours and dignities, and the Commons requested that they might be allowed to perform their part, by voting a sum of money for their maintenance. The three branches of the legislature had thus, each in the exercise of its peculiar functions, co-operated in the support of what was called a national monument, because erected by the queen as the instrument of the nation's bounty, and in order that a record might endure to all ages. The obvious meaning of such language, construed by the fair rules of implication, was, that the house was intended to be annexed to the honours and dignities of the family, as a distinct and inseparable subject. It seemed to him to amount to an absurdity to suppose the contrary, or to contend that, under these statutes, any Duke of Marlborough had a right to sweep such a monument from the face of the earth. These Acts of Parliament left him no power to destroy Blenheim-house, or any thing else necessary, either to its ornament or its shelter. He was not now called on to say, in what terms a Court of Equity would execute the provisions of those acts. That question would come properly before it, when the defendant's answer should be under consideration. The argument which had been attempted to be raised on the possible inconvenience which might arise from the exercise of such a jurisdiction, appeared to him to be of no weight. The Court was fully competent to distinguish between enjoyment and destruction ; the argument failed therefore, because it was drawn *ab absurdo* ; and it would be soon enough to consider the inconvenience, whenever a case involving it should be presented.

Demurrer over-ruled.

**PROCEEDINGS AGAINST THE MAGISTRATES OF EDINBURGH, RELATIVE TO THE ERECTION OF BUILDINGS ON THE NORTH BRIDGE.\***

*Court of Session—Second Division.*

THIS case, which has occupied so much of the time of the Court, and which has excited so much interest in the public, was advised by the Second Division of the Court, on Tuesday the 3d of February, after long written pleadings, for the complainers, and for the Magistrates of Edinburgh and their feuars and sub-feuars, and after hearing counsel on four several days.

The pleas on which the complainers seemed mainly to rely are—

1st, That, according to the original plan of the New Town, no buildings should be erected on the south side of Prince's Street, which is delineated on that plan as pleasure ground.

2d, That, after the right of the Town to build on the south side of Prince's Street had been challenged, in 1772, the town and the feuars had submitted the question to the late Sir David Rae, Bart. (Lord Eskgrove,) whose decret arbitral ascertained how the ground to the south of Prince's Street, and between the Bridge and the Mound, was in future to be kept; and that by virtue of this decret, and of declarations in the charters of the feuars, that this ground should remain as described in the decret, the complainers had acquired servitudes, which were invaded by the operations complained of. And,

3d, That the Act of Parliament recently obtained, authorising the erection of the buildings in question, as it neither recognised those servitudes, nor provided for the indemnification of

those possessing them, could not be held by implication as taking them away.

The answers of the Magistrates and the other persons concerned briefly were—

1st, That the town had never given up their right to build on the south side of Prince's Street, as appeared from a reference on the original plan to an Act of Council, containing a declaration to that effect, and from other documents.

2d, That the servitudes founded on were of the most trifling kind; and,

3d, That the Act of Parliament in question must be judged of according to its intent, which was obvious, and that the *only* remedy was by applying for an act to repeal it.

In the course of the pleadings, the counsel for the complainers stated, that it was a matter of indifference, whether an interdict was or was not granted, and he produced printed copies of summonses for having the rights of the complainers declared in due form, and concluding for demolition of the buildings.

Various subordinate pleas, respecting the want of regular notices of the intention to apply for the act, the homologation or acquiescence of the complainers till the buildings were far advanced, &c. were also brought forward.

The Court seemed generally of opinion, that the answer of the Magistrates to the first plea was well founded, but all the Judges seemed clear, that the servitudes acquired by the decret arbitral and charters following its date, and containing reference to it, were not taken away by the Act of Parliament authorising the buildings. The Court accordingly passed the bills

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\* See the origin of this case in the volume for 1817.—App. p. 180-7.

of suspension—Lords Glenlee, Bannatyne, and Robertson voting for the judgment, and Lords Justice Clerk and Craigie voting for refusing the bills, on account of the acquiescence of the complainers for so long a period.

Both bills of suspension are thus passed, but without interdicts, that the question may be deliberately tried.

[The following notes of the opinions of the Judges have been published.]

Lord Robertson doubted exceedingly whether there was any servitude constituted in favour of the Prince's Street feuars over the ground betwixt that street and the North Loch, by the reference made to Craig's plan, in the original feu contracts, or bargains for feus, because, upon the face of that plan, reference was made to that act of council, whereof the 6th clause implied at least, if it does not expressly reserve to the town the right of building on that ground, providing only that a 16 feet wide street shall be left. Neither the decision in Deas case, nor Lord Mansfield's speech, supported the plea of the suspenders claiming such servitude, and if that (which seemed mainly relied on in the bill, though not in the subsequent pleadings) were now the best or only plea of the suspenders, he rather thought he would be for refusing the bill. But that is not the case; Lord Askgrove's decret arbitral established *one* clear and indisputable servitude, viz. that of a pleasure ground to the heirs and successors of the submitters, on the ground west from Trotter's warehouse to a point a little to the east of Hanover Street, and upon that servitude his difficulty about refusing the bill now rested. If the question had been, whether the Magistrates of Edinburgh were, on their own authority, entitled to disregard that servitude, and make roads through that piece of ground,

he would say, they most undoubtedly were not. But an act of Parliament had been obtained, and the question occurs, what is to be the effect of this act of Parliament? Now, upon this question, though he could not entirely agree with Mr Cranstoun that the Act of Parliament had no binding force, except in relation to those who were parties to it, yet his opinion was, that it being unquestionably a private and not a public statute, it could not take away any rights of persons who were not parties to it by implication. If the statute had expressly declared that the servitude created in favour of the Prince's Street feuars was to be abated for the purposes of the act, then he conceived effect must be given to that abatement, notwithstanding that the Prince's Street feuars were no parties to the act. But the act said no such thing, and since the servitude was not expressly abated by the act, he conceived it remains still in full force, unless it has been lost by either direct or tacit acquiescence of the feuars themselves in its abatement. Now what was the consequence of the subsistence of this servitude? Why, the consequence of it is, that the Magistrates of Edinburgh could not make the road, on the making of which their power to erect the buildings complained of is made by the act of Parliament itself entirely to depend. Now, as he was not prepared to say that there had been such an acquiescence on the part of the suspenders as amounted to a dereliction of their servitude, he thought it his duty to pass the bill of suspension, in order that the rights of the parties might be deliberately investigated. But even if the suspenders had not waived their demand for interdict, he would have been clear that no interdict ought to be granted *in hoc statu*, the buildings having got to such a height before the interdict was applied for.

Lord Craigie concurred in most of the observations that had been made by Lord Robertson, but he was led to draw a very different conclusion from them. He did not think that the servitude the complainers, or some of them, had on the ground to the west of Trotter's gave them such a title to oppose these buildings—now that the Act of Parliament was passed, that the Court ought to pass the bill. And even if the complainers had a title, he denied that they had any substantial interest to maintain this plea. It must be a very substantial interest, indeed, that would induce the Court to pass a bill which was to have the effect of destroying 40,000*l.* worth of property. He did not find himself called upon, sitting there, to give any opinion upon a question of taste; what he was to decide upon, was the rights and the interests of the parties; and he denied that the loss of a view, or the alleged ugly appearance of these buildings, was such an interest as could entitle the suspenders to come to this Court, and call on their Lordships to destroy so much of the property of respectable persons, who had *bona fide* expended their money in these buildings. If they had ground to complain, they were bound to have come forward before the large pile of building in St Ann's Street was taken down. It was absurd to say that the suspenders were not apprised of what was going on—they must not stultify themselves so as to say that they could not see the effect of these operations. Upon the whole, he was clear the bill ought to be refused.

Lord Bannatyne regretted exceedingly that the gentlemen who took up the cause of the feuars in 1772, had not persevered in a more manly manner than they had done. He regretted exceedingly that they had come to any compromise, and said, the proposal to build in front of Prince's

Street, or to lay down a single house to the west of the Bridge, on that side of the street, was a disgrace to the Magistrates (*here symptoms of applause were manifested by the audience, which the Lord Justice Clerk immediately repressed.*) and if the feuars of that day had not a legal title, under Craig's plan, to stop the proceedings of the Magistrates, which might perhaps be doubtful, they ought to have fallen on some plan to make it the interest of the Magistrates to have that space open; but the Court must decide the plea of the present suspenders upon its own merits. He agreed with Lord Robertson that the suspenders, or some of them at least, had both sufficient title and a clear interest to complain; but whether they had done any thing to take away their title, or pass from their interest, this was perhaps a doubtful matter, and he was, therefore, of opinion the bill ought to be passed, to try the question of right. As to the interdict, from the length the houses have already got, it seems improper to grant it; and that part of the prayer of the bill had accordingly been waived.

Lord Glenlee concurred in the opinion which had been so perspicuously delivered by his brother, Lord Robertson, in regard to the servitudes and the nature and limited operation of the Act of Parliament. But he could have no doubt, that however clear the right and interest of the complainers to insist on this suspension might have been, yet that a certain acquiescence, on their part, in the operations carried on under the pretended authority of this Act of Parliament might bar them, *personali exceptione*, from prosecuting that right; therefore, the question came to be, whether there had been such an acquiescence or not? Now, he was certainly not prepared to say that the toleration of the acts of making the road opposite to St

Andrew's-street, and pulling down the houses in St Ann's-street, and even the erection of the new buildings to a certain height, was such an acquiescence as ought to cut off the right of the suspenders to enforce their servitude. It was a very serious question, and one on which prudent men would deliberate and consult, and be well advised, before they took steps, what degree of encroachment on their rights they should submit to for peace sake, particularly if the encroachment was said to be made under the authority of an Act of Parliament. It was not till after these buildings got to a certain height that their injurious nature, the deformity they have brought upon the town, particularly from the unseemly appearance of the back part, which happens to be the part most seen, could be perceived; and, if the challenge was brought in due time after the evil became apparent, he apprehended that was all that was necessary or could be required. Upon the whole he thought the bill ought to be passed.

Lord Justice Clerk coincided with what had fallen from most of their lordships. He was clear there had been nothing *decided* by the remit made by the House of Lords in the case of Deas; neither did the decisions in Butterworth's case, and others referred to, bear on this case. He must also say, his mind was quite made up that there was *no* servitude against building in front of Prince's-street constituted by Craig's plan. The reference to the Act of Council completely shewed the right of the magistrates to build upon that ground, without any other reservation, than that the houses should be at the distance of ninety-six feet from the north side of that street. But he was not less clearly of opinion, that a servitude of great value and importance was created in favour of certain squares in

Prince's-street, by Lord Eskgrove's decret arbitral. By that decret arbitral, there was also a servitude created as to the height and form of the range of houses in Prince's-street. It was expressly declared that these should be finished according to a plan; and if they were either voluntarily or by accident thrown down, it was, in his opinion, quite clear the proprietors would not be entitled to rebuild them upon any other plan than that which was sanctioned by the decret arbitral. But not so the servitudes claimed as to the houses in St Ann's-street; there is no reservation expressed in the decret arbitral respecting these. One house is ordained to be dressed up decently, and the others are allowed to be built, both at the sight of the persons named in the decret arbitral; but there is no restriction as to height or any thing else. And as to the street, there is nothing said about it, except that the west side of that street is the point taken in describing the measurement for calculating a space on which buildings were to be allowed to the east of Hanover-street. Now as to the servitudes that were constituted, his lordship was quite clear they had not been taken away by the Act of Parliament. The question as to the effect of Acts of Parliaments, of the nature of this act, was solemnly decided within these few years in a case to which he was surprised that none of the counsel had referred—the case of Haig and the Magistrates of Edinburgh. In that case it was pleaded (his lordship read from the printed papers) that the town had three different Acts of Parliament, not only allowing them to drain the Meadow, but exactly prescribing the way in which it was to be done. The consequence of draining the Meadow in that way would have been to carry off the water which supplied Lochrin distillery. Mr Haig therefore complain-

ed of the intended operations of the magistrates by bill of suspension and interdict, and the magistrates had three different Acts of Parliament, every one more clear and explicit than another; yet because these acts did not take away Mr Haig's servitude, nor provide a compensation for it, the Court not only passed the bill, but after a proof and hearing in presence, declared the interdict perpetual. Had the complainers in this case, therefore, come forward in due time to complain of the operations by which their servitude was invaded; had there been no acquiescence on their part in those operations, his lordship would have had no doubt in this case; for though he did not think Lord Eskgrove's decret arbitral created any servitude on the building in St Ann's-street, yet indirectly, through the means of their undeniable right, to have prevented the magistrates from making the new access to Canal street, they might have completely frustrated the intention of altering that street. It was not until after a new access was made, that the magistrates had any right to alter St Ann's-street; and if the complainers had prevented the making that road, it would have followed that the buildings complained of never could have been erected. But the inhabitants of Prince's-street, or the present suspenders, did not complain of that road; on the contrary, they allowed that road to be made under their eyes more than two years ago, and to be opened and used as a public road for the purpose of carrying the materials for these very buildings. This his lordship considered a complete acquiescence in the whole measures carried on under the authority of the Act of Parliament. He required no farther evidence of the homologation, which he considered completely established, and he therefore could not give the suspenders the encouragement of passing the bill.

The Lord Justice Clerk took occasion, in delivering his opinion, to allude to paragraphs in the newspapers, as convincing him that there were not any sufficient grounds for the charge of concealment of the purpose of the act, which had been brought against the magistrates and the other parties concerned. His lordship at the same time admitted, that it had occurred to him as strange that the House of Commons, when dispensing with notices not having been given as usual at Michaelmas, had authorised notices of a more limited kind only in one newspaper; and he also admitted, that if he had been one of the Committee of the House who received the returns to these notices, he was by no means sure if he would have held them as a sufficient compliance with the orders to give intimation of the *purposes* of the act.

We shall here introduce the close of the proceedings in this remarkable case, which took place at a meeting of the inhabitants, held on the 22d May, to receive and consider a report from the committee, recommending a compromise with the Lord Provost and Town Council, and with the feuars and subfeuars of the buildings in question.

Sir JAMES FERGUSON, Bart. of Kilkerran, in the Chair.

Mr Francis Jeffrey (as a member of the committee) opened the business, and detailed the steps taken by the committee to prevent the completion of the "obnoxious buildings," and to obtain a legal decision to reduce them to one story above the level of the bridge. The learned gentleman stated, that the committee was deficient in the main sinew of war, viz. a large supply of metal, and said, that the funds subscribed amounted to something more than 700*l.*, which had already been nearly expended. Mr Jeffrey noticed the apathy that prevailed on the part of the

inhabitants, and observed, that even some members of the committee had not been so zealous as at first. He informed the meeting, that a compromise had been offered by the Lord Provost and Magistrates, which was, that the two north houses remain as they are—the others to be reduced one story—and the one now erecting to be only two stories above the level of the bridge, in place of the former, as originally intended. This the learned gentleman contended was a very material concession, and would hereafter appear as a proud monument of what had been effected by the public spirit of the inhabitants of Edinburgh. The compromise had been agreed to by a great majority of the committee. He knew there were gentlemen present who were confident as to the ultimate success of the cause, if proceeded in, but for his own part, his hopes were not now so sanguine as they had been. The learned gentleman alluded to an intention on the part of the magistracy, at no distant period, of erecting a corresponding pile on the east side of the Bridge, where, as he understood no servitude existed, they might build as high as they pleased. In investigating the question legally he dwelt on the uncertainty of the law, and submitted, whether, in this doubtful warfare, it were not better for the inhabitants to make a drawn battle, while one point of victory remained in their favour—a triumph over official mismanagement—or to proceed to obtain a final decision, the ultimate success of which was so uncertain. Mr Jeffrey conceived the labours of the committee were finished, and concluded an able speech, of which we have given but an imperfect outline, by moving, That the compromise offered by the Lord Provost and Magistrates, of reducing the buildings, agreeable to the plan exhibited, be agreed to.

The motion was seconded by Mr Horne.

Mr Stuart said, that his learned friend had correctly stated, that the resolution of the committee, recommending a compromise, had been adopted by a great majority of the committee. He had the honour to be one of the minority when that resolution was adopted, and it was, therefore, his duty to state the grounds on which he had differed from the majority. Mr Stuart contended, that the eminent counsel, by whose advice the former meeting had been guided, still thought the legal point was in favour of the feu, and he could not therefore understand how his learned friend entertained those doubts he had expressed of the result of the law-suit, unless it were on account of the notorious uncertainty attending all legal proceedings. He should not now repeat the grounds stated to counsel, and on which the former meeting had agreed to have recourse to legal proceedings, with a view to abate the intolerable nuisance complained of; but he would put this plain question to his learned friend, whether, if ten or a dozen years ago he had purchased a house in Charlotte-square, and had paid a very high price for it, because his charter from the Magistrates contained a declaration, that the ground mentioned in the square should in all time coming be kept as pleasure-ground; and whether, if during his absence from the country, the Magistrates had obtained an Act of Parliament professedly for erecting a chapel at the east end of Prince's-street, suppose on old St. Ann's-street, but containing an enactment, by virtue of which he found on his return houses erected on his pleasure-ground in the square, would he tamely submit to such a violent deterioration of his property? If he would not have done so in such a case, then



he did not understand on what the doubts now expressed were founded ; for not only had the feuars in Prince's-street declarations in their charters that the ground between Prince's-street and the North Loch should be kept as pleasure-ground in all time coming, but the Magistrates were bound to dress it up as such at their own expence ; and the feuars had other strong grounds for opposing this encroachment, which had been fully explained at the former meeting. It was no doubt true that two of the Judges had delivered opinions unfavourable to their plea, but they had founded their opinions on the acquiescence of the feuars for a considerable time in the operations carried on, a plea which, after the decision, it had been found was lately over-ruled by the Court in an important case, (to which Mr Stuart referred,) and which at any rate did not attach to the southmost and most objectionable tenement, because that tenement was not commenced until after the legal proceedings had begun. Mr Stuart maintained, that if there was the same reason as before to look for success in a law-suit, there was no reason to consider the compromise as expedient, because the great object, viz. to regain the views, from the Calton Hill, of Prince's-street and the New Town ; and from Prince's-street, of the Calton Hill, Arthur's Seat, Salisbury Craigs, &c. would not be attained. It was never his wish, nor that of the committee, in case of success, to carry matters all lengths ; they were always ready, on account of the expence incurred, as their correspondence with the Magistrates proved, to allow the shops, the most valuable part of the buildings, although on many accounts objectionable, to remain, but it did not appear to him that much would be gained by the compromise offered, by

which, at very great expence, part of the spires at the west end of the town would be visible from the Calton Hill, and a little less of the unseemly wall would be seen from Prince's-street. But it was obvious, even if the meeting agreed with him in the views he had laid before them, that nothing could be done without a new subscription of large amount. He would not desert the cause, if they afforded him the means.

Mr Colin Mackenzie agreed with Mr Jeffrey to a certain extent. Although he had already subscribed, he said he was willing to do so again if it was the opinion of the meeting to proceed.

Dr Yule said he had not seen a plan of the intended alteration in the buildings, but he understood they would then present the appearance of a *wedge*, and that among all the improvements in architecture, he had never before heard the beauty of the wedge enumerated.

Mr Joseph Gordon ridiculed the idea on the part of the Magistracy of building on the east side of the bridge, where, so far from raising an erection as high as the third heaven, he defied them to lay one stone.

Mr Henry Cockburn, in an animated speech, coincided with Mr Jeffrey's motion. He said, that although Mr Cranston's opinion on the legal point remained unchanged, yet he knew that that gentleman strenuously advised that the compromise offered should be agreed to. The learned gentleman wished to know what would be gained, after an expence of 1500*l.* or 2000*l.*, supposing the present buildings to be removed, if within twenty yards another might be erected subject to no controul. If, said Mr C., it is the opinion of the meeting that the legal proceedings should be continued, let me see each gentleman, while he gives

his vote and support for continuing the litigation, put his hand in his pocket and extract five guineas.—(*A laugh.*)

Mr Stuart explained, that there was no inconsistency in Mr Cockburn's and his statements of the opinion and advice given by Mr Cranstoun. All, however, that could be gathered from this advice and that given by the other learned gentleman was, that the uncertainty of legal proceedings in this country was such, that even with a good cause no one should go to law—a doctrine very dangerous for the learned gentlemen themselves.

Mr Jeffrey's motion was put from the chair, and carried without a dissenting voice.

The committee was reappointed, to see the compromise carried into effect.

N. B. The builders, encouraged by the confessions of poverty, and by the cessation of interest in the public on the subject, declined completing the compromise, and raised the whole of the houses to the height originally intended.

#### PROCEEDINGS IN THE COMPLAINT AGAINST THE ELECTION OF THE MAGISTRATES OF EDINBURGH.

#### DUNCAN LAWRIE AND OTHERS V. THE MAGISTRATES OF EDINBURGH.

*Court of Session, Second Division,  
March 11.*

This case had been before the Court on Tuesday the 3d instant, when the Court took into consideration the petition and complaint against the Magistrates, with answers, replies, and duplies. On that occasion, the Court were of opinion,—upon the objection, that the election was null, in consequence of one of the Bailies elected not being resident within the burgh,—

that, by Act of Parliament, residence of the Bailies was necessary. Two of the Judges were of opinion, that the fact of non-residence, as made out by the complainers, ought to have the effect of setting aside the election; but the other two thought it necessary to institute a farther inquiry as to the usage of the burgh in this respect. The Court, therefore, being equally divided on this point, it was determined that Lord Reston, as Lord Ordinary, should be called in to give his opinion with regard to it. Another of the objections was, that, in consequence of one of the old Bailies having been, on the day of election, chosen Dean of Guild, and of there being no person, on that day, chosen to supply his place, the election was not completed on the day appointed by the act of the burgh. It was alleged, on behalf of the Magistrates, that, by the usage of the burgh, it was not necessary to fill up the vacancy thus occasioned on that day, but that this might be done afterwards; and on this point, also, the Court considered farther inquiry necessary, and accordingly ordered a descendance as to the custom of the burgh in this particular. On some of the other objections the Court considered farther pleading necessary.

In these circumstances, the case was taken up, in order that Lord Reston might deliver his opinion on the point remitted to him; and this opinion was expected with much anxiety; because, if his Lordship should think along with two of the Judges, that the election of the non-resident Bailie was illegal, and that, therefore, the whole election should be set aside, then the question would be decided, without the necessity of any further discussion on the other objections.

Lord Reston's opinion was, in substance, as follows:—

He began by saying, that he delivered his opinion with great diffidence,

arising from his want of experience in cases of this nature, in not one of which he had ever been engaged, either during his practice at the bar, or since he became a member of Court. He proceeded to observe, that it was admitted that Mr Anderson (the Bailie in question) did not reside within the burgh, his residence being in Broughton Place. The Magistrates, however, had attempted to obviate this objection, by alleging that Mr Anderson carried on trade within the burgh, but in this attempt they had completely failed. They had represented him as a proprietor of the Commercial Bank, and of the Hercules Insurance Company, but neither of these circumstances formed any connection between him and the city; and, as to their allegation of his having been a director of the Commercial Bank, it did not appear that he possessed this character at the period of the election. The fact, therefore, was, that this gentleman neither lived, nor had any place of business, within the burgh. His Lordship then stated, that, independently of any considerations drawn from usage, residence was made necessary for a Bailie, by two Acts of Parliament, by which it is declared, that the Provost and Bailies, or Aldermen, shall be resident within the burgh. These statutes were found to be in observance with respect to the election of Bailies, in the case of the Magistrates of Wick, in 1749, where it was found that none but those who were resident in the burgh could be elected as Bailies, although this qualification was not necessary in the case of the Provost, or of Counsellors. Similar decisions had been pronounced in other cases, particularly that of Nairn, and that of Anstruther-Easter. His Lordship was of opinion, however, that the averment of the Magistrates respecting the usage of the burgh was quite relevant. It had been averred in their pleadings, that, accord-

ing to the usage of the burgh, residence was not necessary; a condescendence of these averments had been offered; and he thought a proof of them should be allowed. There could be no doubt, that statutes might go into desuetude. The very statutes on which the present objection was founded had certainly gone into desuetude with regard to the election of Provosts. By these statutes residence was declared necessary, in the case of Provosts as well as Bailies. Usage, however, had altered the law in the case of Provosts, and why might it not have the same effect in the case of Bailies? In the case of *Hunter Blair v. Phin*, 31st January, 1781, at the election of the Magistrates of Edinburgh, a member of the incorporation of Waulkers was chosen deacon of that incorporation. He resided at the distance of three miles from town, and also carried on his business without the burgh; and on this ground a complaint was presented against the election. It was contended, however, that, by usage, the deacon of the Waulkers resided out of the burgh, being obliged to do so from the nature of his trade, which required the use of a stream of water. The complaint was dismissed. The Court here proceeded upon the circumstance of usage as to residence, and held, that an election *bona fide*, made on a belief founded on usage, that the person elected was properly qualified, was not to be set aside upon a summary complaint, whatever might be the effect, *as to future elections*, of a regular action of declarator instituted for ascertaining the set or constitution of the burgh. If, therefore, the Magistrates of Edinburgh could make out their averments as to the usage of the burgh with respect to the residence of bailies, his Lordship thought that the present complaint must be thrown out; though perhaps it might be found, by an action of declarator, that residence should

be a necessary qualification in all future elections. His Lordship considered this complaint as of a highly penal nature. The effect of setting aside this election, on the ground of illegality, would be not only to expose the community to the inconvenience of having no magistracy, but to expose the respectable persons, who were both electors and elected, to the obloquy and contumely which attend those who are held to have done an illegal act, and who are deprived of situations which they had no right to assume. If it appeared, that this election took place on an entire *bona fides*, both on the part of the electors and of the elected, that those who were chosen were duly qualified, according to the usage of the burgh, then, he apprehended, that this election ought not to be set aside.

In consequence of this opinion, the Court ordered a condescendence of the facts, which the Magistrates averred, and offered to prove, with regard to the usage of the burgh, as to the residence of the bailies. The Magistrates wished to be allowed to extend their condescendence to the usage of other burghs; but this the Court refused to admit, observing, that they might make, in a minute, any averments on that head they might think proper, to which such weight should be afterwards given as they might appear entitled to. On the other parts of the cause, the Court pronounced an interlocutor, in terms of their opinion when the case was formerly before them that is; they also ordered a condescendence, as to the usage respecting the completion of the election, on the day appointed for the election by the set of the burgh; and, on the other points, they ordered the parties to give in memorials.

June 6.

The Second Division of the Court

of Session advised this important case, when, upon one of the points of the libel, the complaint of the petitioners as sustained, the election was declared null and void, and the pursuers found entitled to their expences.—Should no reclaiming petition be presented to the Court against their interlocutor, it will become final on the 27th inst. This judgment is founded on an informality in the election. The set provides, that after the deacons shall have been received and authorised in their offices, the meeting of council at which this is done shall choose furth of the said fourteen deacons six, to be the ordinary council-deacons for the next year. The meeting at which this is done must consist of *twenty-five* persons. On the 17th September, the council being made up to the requisite number of twenty-five, among which number was Mr Denholm, as trades'-councillor of the former year, the fourteen deacons were introduced, and took the oaths, and among these Mr Denholm, as deacon of the Waulkers, then sitting at the council-board, and continuing to act in his old character of trades'-councillor, voted for his own appointment as an ordinary council-deacon,—thus acting in two different capacities. Mr Denholm being thus received and sworn as a deacon under the new election, could no longer be considered a trades'-councillor; his place, therefore, in that capacity, should have been filled up before the meeting proceeded to elect the six council-deacons out of the fourteen. This, however, was not done; consequently, the election of the six council-deacons, of whom Mr Denholm was one, was made only by *twenty-four* councillors and Mr Denholm himself.

On the question as to the usage of non-resident and trafficking persons having filled the offices of magistrates, and to which the Court had formerly

ordered condescendences, a v con-  
descendence was ordered to given  
in by the magistrates.

The Lord Justice-Clerk said, that the meeting of the 17th September ought to have been composed of twenty-five persons, present either in person or by proxy, of whom Mr Denholm was one, in capacity of trades'-councillor; but Mr Denholm had been elected deacon on the 14th by his incorporation, and was presented to and received by the meeting of council on the 17th, in his new capacity of deacon, at which he took the oaths to government, as well as the oaths *de fidei*, and thereby distinctly accepted of the new office which had been conferred on him by the corporation of Waulkers. That it was needless to inquire whether the character of deacon attached to him before that meeting or not, for that, at least by that acceptance, a vacancy was occasioned in the office of trades'-councillor, and consequently in the number of twenty-five, by whom the ordinary deacons should have been appointed; notwithstanding which, Mr Denholm continued to act in his old character of trades'-councillor, and voted for his own appointment as an ordinary council-deacon. At all events, the vacancy in the twenty-five, occasioned by his being received in a new character (and he could not act in two), was not filled up. As to the effect of this, it is quite unnecessary to enter into a long discussion, because, in the opinion he had given as to the fact, he had no alternative but to find that the election cannot be sustained.

Lord Robertson said, that he always considered this as one of the most difficult of the many perplexed questions in this case. His Lordship coincided in the opinion of the Lord Justice-Clerk, that Mr Denholm appeared in two separate and distinct and inconsistent capacities at the same time;

and it appeared to him, that, following out the principle of the case of Aberdeen, the necessary consequence was, that the whole proceedings should be annulled. By the set of the burgh, every election-meeting should be full, and that not being the case, their Lordships had no sort of choice.

Lord Craigie said, he thought there was no necessity for the election-meetings being full; he thought a quorum was enough.

Lord Bannatyne said, he could entertain no doubt about this part of the case, on the grounds delivered from the chair; though, if it were possible, he would have liked to agree with Lord Craigie rather than deprive this great city of its magistracy.

Lord Glenlee said, that upon the supposition that Mr Denholm appeared in two capacities, the facts regarding which he did not fully understand, that he considered the set of the burgh as imperative, and that it was impossible to avoid the consequences that the whole election must be annulled.

On the 10th, the Town-Council of Edinburgh, with the exception of Deacons Lawrie, Anderson, and Knox, resolved to present a reclaiming petition to the Court of Session against the judgment pronounced, on Saturday the 6th instant, in the question at the instance of Deacon Lawrie and others against the election of the Magistrates and Council at Michaelmas last.

MR SCARLETT, FOR DEFAMATION AT  
THE BAR.

*Court of King's Bench, Serjeant's Inn,  
Jan. 22.*

[The original pleading of this case at the Lancaster Assizes, appeared in

our last volume, Appendix, p. 70-2. A new trial was moved for in the Court of King's Bench, which came on upon the 22d of January. We shall only give the opinion of the Judges.]

Lord Ellenborough, I, the law privileges many communications, which otherwise might be considered calumnious, and the subjects of actions; in those regarding the characters of servants, it is necessary, for the convenience of mankind, that there should be a free disclosure; and if it be made *bona fide*, and without express malice, without a design to state what is untrue and unprovoked, the law protects it from being the subject of an action. So in the case of counsel, who are appointed by the parties as better able to conduct their causes; the client consigns his interests to a counsel, who only speaks from information, and he is privileged when commenting upon the evidence or instruments produced in the course of the trial. It appears that the plaintiff was not only the attorney in the cause, but had been connected with previous transactions, and in the concoction and drawing of a promissory note, so that he must have been cognizant of the merits before he went into Court; and as it turned out on the trial, as he well knew it must, that the demand had been satisfied, his client of course was defeated. In commenting upon the circumstances, the learned counsel, who is here the defendant, said, that the plaintiff was a fraudulent and wicked attorney; he had a right to animadvert upon his conduct, and he could not do so without noticing him as the instrument in the formation of the promissory note, which was the chief ground of the nonsuit; he did not therefore take him at random, or draw his name in unnecessary. I should say, that the language is strongly charged, for it ac-

cuses Mr Hodgson of a fraud between man and man, and with wickedness in *foro divino*. This was perhaps not displaying that forbearance which it might be prudent to adopt; but yet I cannot say that the accusation does not arise out of the subject matter of the case. If the attorney knowingly placed the parties in a situation where they must undoubtedly be sufferers without any benefit, it does seem to give a colour to the charge of being fraudulent and wicked. I cannot say that there is no reasonable or probable cause for a counsel so to state in the exercise of his duty of commenting. It may be urged, that the relevancy of the accusation appeared here, and not at the trial, and that it is in a manner *ex post facto*; but an admission was made at the Assizes, which, though not strictly conceding the relevancy, yet coupled with the actual facts now disclosed, seems to warrant the conclusion at which the Learned Baron arrived, and was equivalent in some sort to an actual disclosure of the facts. It appears to me that the words spoken were uttered in the cause, and relevant to the cause, and, consequently, that the action is not maintainable.

Mr Justice Bailey saw no objection to adopting the position laid down in *Brooke v. Sir H. Montague*, that the privilege of a counsel extends to all things said pertinent to the matter in issue. He admitted that the expressions were harsh, but that they came within the privilege.

Mr Justice Abbott concurred; words used in the course of a judicial inquiry, relevant and pertinent to the matter in issue, are not actionable, unless it appear that the counsel availed himself of his situation to gratify personal malice previously entertained against the person slandered. Justice could not be properly administered, if on every occasion counsel were to be

questioned for the strength of an expression employed in the fair conduct of a cause. Here the words were relevant and pertinent; and if a new trial were granted, the result would and ought to be the same as it had been.

Mr Justice Holroyd observed, that the slanderous words only expressed the opinion of an individual to the Jury, who were subsequently to decide upon the merits, and whether the counsel had spoken truly or untruly. A less latitude ought to be allowed to counsel than to parties, on account of their superior knowledge and cooler temperament; but they were not liable to actions, unless it clearly appeared that the slander had no relation to the cause. He referred to 1 Hawk. c. 73. § 8., 1 Rolls. Abr. 87, pl. 4., 1 Saund. 132, and to 4 Coke, 14 b., in order to shew that parties were not liable for words in the course of a judicial proceeding, unless express malice were established. He thought the present action not maintainable, for the reasons stated by the rest of the Court.

Rule for setting aside the nonsuit discharged.

#### STEWART AGAINST ALLAN AND MAC-KAY, FOR PARAGRAPHS IN BELFAST NEWS LETTER.

*Jury Court, Glasgow, October 5.*

The damages and solatium were laid in this case at 3000*l*. The following is the paragraph referred to:

"**HEINOUS FRAUD.**—A singular discovery is reported to have been recently made in Glasgow. A servant man, who had lived for many years in the family of a Mr S. of that city, heard a report a long time ago that a near relation of his had died in the East In-

dies, and left a considerable fortune to him. He made various inquiries to ascertain the fact, but without success. Among others, he applied to his master, requesting that he would endeavour to obtain the information wanted. The master promised to do so, but, after a long delay and various evasions, he at last told the servant that all his exertions had been fruitless, and that there seemed to be no truth in the report. Here the matter rested for a considerable time. Some months ago, however, the servant happening to be in company with a Methodist minister, mentioned the circumstance to him. The latter undertook to write to a friend in London to inquire respecting the affair. He accordingly did so, and in a few days received an answer, acquainting him that the gentleman about whom he inquired had died in India many years ago; and that it was fully sixteen years since the money he left, about 20,000*l*. had been paid over to Mr S. of Glasgow, on behalf of a relation of the deceased, who then lived in his family. Upon receipt of this intelligence, proper steps were immediately taken to bring the master to account, but we are sorry to add that our report states, there is little probability of much of the money being recovered, as he had given a considerable dowry to a daughter, and lived expensively. The necessary steps of law are, however, in progress."

Mr Jeffrey opened the case, on the part of Mr Stewart. The nature of the case, he said, would be stated to them in very short terms. The paragraph they would find in the issue was the ground of complaint, and it was headed in capitals—**Heinous Fraud.** The information, thus published to all the kingdom, was admitted by the defenders to be false, and that the paper published by them was sent in course of business to Glasgow, the place of residence of Mr Stewart. The pa-

paragraph alluded to was understood by all who read it here, to allude to Mr Stewart, and evidence would be called to establish that fact, and that no person ever thought that it alluded to any other person. He believed this was the first instance of a newspaper in this place, and in these times, having been pursued for a libel on the same; but the Jury, he hoped, would see that his client was not to suffer a libel on his character to go forth, stating him to be a villain, a bankrupt, &c.; for evidence would be led to shew, that his friends had so far been informed of the false statements issued against Mr Stewart, that, on their arrival in town, they called at the jail, to ascertain if he was an inmate there for this criminal action, and that others, who had large dealings with him, actually suspended business with him till the merits of this case should be tried. For the injury done to his feelings by this malicious libel, he now appeared before a Jury of his country, and the evidence which would be called, the learned counsel had no doubt, would enable them to make adequate reparation for the injury his client had sustained. The publication alluded to was not the first calumny against his client, as a William Adam, a gardener, had applied to the Magistrates, by petition, in 1816, to answer for the papers, &c. intrusted to his client, to recover a sum of money left by a friend in India; and, on the 19th December, 1816, Adam called on Mr Stewart to answer to a certain part of that process, on which Mr Stewart was sworn before the Magistrates, that he never had any papers, nor destroyed any power of attorney, or document, belonging to John Adam, W. Adam's father. On this being solemnly sworn to by Mr S. the Magistrate acquitted (acquitted) him, and awarded damages. His client, therefore, never believed that, from this decision, the

matter would spread farther, for he had been at considerable expence to accommodate Adam in this business; but, in a month hence, a communication was made from Glasgow to Belfast, still keeping up the malicious paragraph, and which was spread through and read in all the public news-rooms of the kingdom. He would ask the Jury, if the statement in the paragraph did not set forth that he was a bankrupt, having given a dowry to his daughter, and lived expensively, and there were fears that much of the money would not be recovered. This paragraph having been thrown into the coffee-room here, and read by merchants known in business to his client, must have had the most direful effect on the character and feelings of that gentleman. In this great and commercial city, where every merchant prizes his character so highly, the paragraph was received with horror, and it flew like lightning, announcing, in its train, that Mr Stewart had cut his throat, &c. On his arrival in town, he was astonished to see and hear the gentlemen quit the pavement, whispering to each other to have no dealings with him; while others were making him offers of conveyance to the West Indies, to avoid the shame he must be doomed to. The learned counsel called the attention of the Jury, while he read a letter sent to the editor of the newspaper, calling on him to give up the author of it, but with this they would not comply; even after the action had commenced, Mr Stewart offered to withdraw the action if the author was given up, but no answer was given, except that they were not obliged to answer to an action in this country, the libel having been printed in Ireland. They never would give up the manuscript nor the author, and it is evident from this that he is well known, and that he is no doubt willing to pay all the expences the propri-



ctors of the newspaper may be put to ; and he now called on the Jury to keep *him* in view as the person against whom they were to award damages, as the calumniator, for the proprietors of the newspaper could have no interest in the calumny they had been the means of diffusing so widely. In the case of *Scarlet* (*vide* Holt's Reports,) it was found that a party could not publish any thing but what appeared in the issue of the case, and even not then, if it was done with intent to hurt the feelings of the party; even an advocate in the cause cannot publish his speech, as it would be *ex parte*, if it meant to hurt. A member of parliament may make his speech, but has no right to print or publish it, especially if any thing of a libellous nature appear in it. The case of Mr Creevy, M. P. is well known, where his speech had not been done justice to, and he sent a correct copy to the printer, to be reprinted; on which it was determined at *Nisi Prius*, that a member of parliament had no right to publish the speech he had made, when such was the tendency of it. This paragraph had not come under the head of *Law Intelligence*, where Mr Stewart's answer should have been given, but appeared in the newspaper as a malicious paragraph, and of course was an *ex parte* statement, although true. The statement, that the report was much in circulation before it was printed can be no plea in defence. Every man who issues a calumny, though he had it from twenty people, is liable for the whole. On the law of libel, in England, by Mr Starkie, a person may be freed from the imputation of slander, on his telling openly at the time the person from whom he had it, that he do not tell it generally, and that verbally only, as the writing and printing of it is more heinous. The case before the Jury was of this nature, as it never had been seen in manuscript or

print, till it appeared in the Belfast paper in question.

The facts were then proved by several respectable witnesses.

Mr Moncrieff addressed the jury for the defenders, observing, how exaggerated the statement had been made in the introduction. His clients had admitted being proprietors of the *News-Letter*, and Mr Allan, one of the defenders, was in Italy, on account of his wife's health, at the time libelled. Mr Mackay has been 30 years in the management of a newspaper, and this is the first offence he ever was charged with in the course of his business. The Jury would keep in mind the process that Adam had raised against Mr S., demanding the power of attorney that had been entrusted to Mr S., to recover money that was left by a friend of his in the East Indies. This story was communicated by Mr Kilbee to Mr Mackay in Belfast, and hence arose the paragraph, though Mr Mackay did not know who Mr S. was. If it had not been for the process before the magistrates, no person could know that it alluded to Mr Stewart. On Mr Mackay receiving the letter from Messrs King and Campbell, he answered it by expressing the utmost contrition, as it was a paragraph that had been done in the hurry of business, and that in his next paper he would contradict it, which was the case in the paper of the 4th of February, and the process before the Magistrates was not over till the 11th. It appears Mr S.'s idea was to make a pecuniary job of it, as the author was offered to be given up. A gentleman waited on Mr S. five days before the action commenced, to offer any compensation he wished, on the part of Mr Allan and Mr Mackay, and that Mr Kilbee, residing in Ireland, was named as the author. This case was that of a paragraph inserted in a newspaper, consisting of a great deal of miscellaneous

matter, while the editor cannot at the time have legal evidence for the fact. From the usefulness of these publications, and from the rapidity with which they are made up, errors may creep in; but it behoves to be made out that malice was intended, and here the Jury must see that the editor is not liable in damages, when he offers to make instant reparation for the accident. The Jury must have sufficient evidence that malice dictated the editor to publish the paragraph in question, before they can award damages. In the case of the King against Wright, before the King's Bench, Judge Lawrence admitted that it was proper that proceedings in Court should be published; and in this country, over every other, when the Judges, the Jury, and the witnesses knew their true worth, and acted with candour, it was necessary these proceedings should be known for general information—not so in other countries, where legal proceedings are carried on in a dark and disguised shape. Let any gentleman go to the said coffee-room, and he would see in every paper the reports of proceedings of the same nature, from all the Courts in the kingdom; and were it not for newspapers, much useful information would be entirely lost to the great bulk of the people, in this enlightened country. It was stated, on the part of the prosecution, that this was a matter of reparation, and the Jury would only have to allow such damage as the pursuer had proved he had sustained. It would never have been applied to Mr Stewart, had the process not been in dependence, which might turn their thoughts to him. Adam's application, stated that John Adam, mason, parish of Antermoney, left this country for Bengal, in the year 1780, and that an advertisement appeared in the London Gazette, or some other newspaper, announcing that several thousands of

pounds had been left by Adam, and that it was to go to his nearest heirs; that in the year 1791, Mr S. got the applicant's father to draw out a power of attorney to enable him to draw the money from the East India House, and that he obtained a large sum of money thereby. This was the ground of the process, and Mr S. having sworn that he had no money nor papers belonging to that subject, he was assoltized. It must therefore have been known and circulated on account of this process, as the paragraph appeared and was contradicted before the process was finished. The learned counsel concluded a very long and animated address, by calling on the Jury to give a verdict for nominal damages only.

After several witnesses had been examined,

Mr Cockburn addressed the Jury, and in a very particular manner stated, that the privileges of the editors of newspapers were great, but the laws of the country would never allow that they should publish every gossiping story that might take place in families. Mr Stewart was obliged to go through the streets under this calumny, his friends not knowing where to find him, from the report that he had committed suicide, through the villainy he had committed in keeping up the money. The defenders did not deny they had committed the injury on Mr S., but after being written to, their apology was not distinctly made that it was Mr Stewart, of Glasgow Field. Their sending letters to Mr S. or his agents, and still withholding the name of the author, was another proof of their reluctance to make a proper concession; neither has the pursuer, till this day, known who the author is; but by a letter exhibited to-day, it is acknowledged that it was written by Mr Mackay, though Mr Mackay has never acknowledged

this himself. Allan nor Mackay have not given up the real author, and he is perhaps panting in this audience now. By Mackay's own account, he has a foolish story on the street, and it forth through the whole kingdom and keeps the real author in the background. It has been set forth in defence, that there was no malice in the paragraph, as the parties were unknown to each other; but could the Jury believe, that Mr Mackay was not told, that Mr S., mentioned in the paragraph, was Mr Stewart of Glasgow-field, Glasgow, while he was receiving the particulars on which to build his story? The pursuer is accused of not having proved how much pecuniary loss he has sustained; but who can tell what agony he must have suffered, —though he has lost no special sum that arithmetical calculation can shew, —his name bandied through the whole land! The defence stated, that the proceedings in courts of law might be published; but in this case the paragraph was not the proceedings of a process before the Magistrates in which Mr S. was concerned, for it was a malicious and scandalous paragraph, before the process had been concluded, and of course biassed the public against Mr S. before he had time to acquit himself. A Methodist minister had been introduced, to give a gloss to the column that was about to be set forth. How many accounts do we hear every day, even of our friends, that have no reality in them; and might not this be of the same description? It was evident, that the paragraph was the only cause of the process being known, and that the rumour and vexation did not take place till the newspaper touched on the story. The pursuer wishes to God that he had not had occasion to come here to-day; and the defenders would not have been compelled to make an appearance here, if they had given up the real author. What infamy would

the pursuer lie under, if he had let the libel thus issued against him lie dormant. The learned counsel concluded a very excellent address, by calling on the Jury to give a verdict for every farthing claimed.

Lord Gillies summed up the evidence in a very concise manner; and was clearly of opinion, that it was a malicious paragraph, and not the proceedings of a court of law. Mackay should have brought forward evidence that he had got the verbal account of the rumour from Mr Kilbee, who had it from his son Edward, a boy, in Glasgow at that time. It even does not appear that he got the paragraph from Mr Kilbee, for he (Mackay) admits that he wrote it himself. His Lordship concluded by advising the Jury, that Mr Stewart was not only entitled to damages, but to *solatium*.

The Jury retired a few minutes, and brought in a verdict for the pursuer, —Damages L.1500.

#### PROCEEDINGS IN CHANCERY RELATIVE TO THE SHUTTING OF DRURY-LANE THEATRE.

*Court of Chancery, 8th August.*

Sir S. Romilly, on the part of a great majority of the proprietors of this theatre, moved his Lordship to grant an injunction to prevent the subcommittee, consisting of five persons, from proceeding in engaging any new performers, or entering into any new contracts on the behalf of the proprietors, considering the state of their funds. When the late theatre was unfortunately burnt down, there were a number of engagements, and an act of Parliament was passed, authorising a committee of ten persons to raise the sum of 800,000*l.* in shares of 100*l.* each, and the shareholders to have votes to the number of shares.

The legislature passed a second act, in which the power of management was vested in a sub-committee of five persons, who had full power to appoint a manager and engage performers, &c.—The debts of the theatre amounted to 80,000*l.*, and in June last a select committee was appointed to investigate the matter referred to them, and on the 8th of that month they reported; and it was indeed evident, that the true state of affairs must have been known to the sub-committee. Several resolutions were formed, by the select committee, which were read and approved of by the general meeting on the 8th of June. On the 16th July the select committee gave another report of their efforts, and recommended the sum of 17,000*l.* to be raised by loan, and George Colman, Esq. to be appointed manager. A special committee at the same time reported, that much of the incumbrances was occasioned by the facility with which articles were procured from tradesmen, and also from the very great number of orders for free admission. The report was agreed to by the general meeting of proprietors, at least by a majority of fifty-four. The bill went on to state that no capital remained, but that money must be raised by loan. Large sums were due to the performers, who had consented to receive a composition for their debts on certain terms. The Court was therefore prayed to restrain the sub-committee from going on. He had no doubt the Court would at once interfere.

The Lord Chancellor granted the injunction on this *ex-parte* application; but ordered notice to be served on the other side without delay.

*Court of Chancery, Aug. 14.*

Sir Arthur Piggot, in rising to move for the dissolution of the injunction, observed, that the task had been

placed on his shoulders to move the Court to dissolve the injunction which had been obtained against the sub-committee, restraining them from opening the theatre, and also from engaging any performers whatsoever. He had carefully perused the bill and the affidavit, the only one filed in support of the plaintiff's case, which had been made by Mr G. H. Robins, for no one else had attempted to make one. In looking into the acts of parliament, he found very material matters for his Lordship's consideration. He had looked into the proceedings of the gentlemen of the select committee, who had taken on them many extraordinary acts and powers, although he had looked in vain for the authority for their so doing. Amongst the allegations contained in the affidavit, was one that Mr Robins and his copartners were incumbents and proprietors, and also members of the corporation. This affidavit did not contain any allegation that the opening of the theatre would be injurious to the proprietors, it merely said it might be, in the concluding passage. It was therefore merely presumed, that this loss and injury would take place by opening the theatre. The bill prayed for an account of the debts due to the performers and other persons, but it only prayed it against the five defendants; and when he took into consideration the great number of claimants, and the affidavit of Mr Robins, he must say the present was a most extraordinary case. The prayer ought not to be against the five defendants, but against the corporation, for they were incorporated by the act of parliament.—The bill prayed that an order might issue to sell, or mortgage, a competent part of the theatre, for the purpose of liquidating the debts. Who could do this but the persons in whom it was vested? This was the general body, for as a corporation, in them, and them

alone, was that power vested, and not in the five defendants. His Lordship was prayed to take an account as between these corporators, the special committee and the sub-committee, and in the mean time to restrain the latter from opening the theatre pending that inquiry. This was the most extraordinary occurrence that ever took place in the memory of man, for by that the position was laid down, that a theatre with closed doors was in a better situation to get rid of its incumbrances, constantly increasing, than when it was open. What would be the effect of closing the theatre? Why, the corps dramatique would be broken up, some would go to America, some to Ireland, some abroad, some here and some there, and it would be impossible to get them together again. This was the remedy proposed by the select committee, that committee which had filed the present bill, and who wished the sub-committee to resign their present situations, on the consideration of incapacity. This was the *sine qua non*. The present was not a bill filed by creditors; it was a bill filed by eight corporators who were not creditors; and were they at their will and pleasure to bind up all the contributors—all the old renters who had been intitled to three shillings a-night, but who had been compounded with and cut down to one shilling and sixpence a-night, and free admissions in proportion to six shares? There were also the incumbrancers—were they also to suffer? By the act of Parliament it would be seen, that certain old renters were to have one shilling and threepence per night and free admissions: And that when the new theatre was built, the same was to be and remain as charges. Where were these parties? had they ever been consulted? It was said that a debt of 80,000*l.* had been incurred, out of which there were 40,000*l.* bond debts; but this debt was not incurred by the

present sub-committee. By a clause in the act of Parliament power was given to sell and lease certain private boxes; this had been done, and for which 53,000*l.* had been received, which was to go in liquidation of the principal sum (300,000*l.*) borrowed. Where were those lessees? had they consented to shut up the theatre? were they made parties? Had they been asked if the doors of the theatre should be nailed up? Unless the Court would take upon itself to suspend the acts of the legislature, it had no more power than any other person to continue this injunction. It has been thrown out, that the sub-committee was not valid. Why, then, not apply to the Court of King's Bench? Why not move for a *quo warranto* against the parties and remove them. [The learned gentleman here went into the provisions of the act for appointing the committee.] If any improper management had taken place, whom had the plaintiffs to thank for it but themselves? Could they not have removed them in three months? The last season had been the most successful of any preceding; and yet this was the very time that the plaintiffs chose to make their complaint. On looking at the 51st clause of the act relative to trustees, it would be found that they were not removeable unless they ceased to hold five shares. It was strange that the general committee, who held but three shares each, appointed the sub-committee, who were required to hold five shares, so that they appointed the sub-committee, notwithstanding they could not fill the office themselves, as they were only required to hold three. Why was not the Duke of Devonshire made a party to the present bill? he surely ought to have been. The whole accounts were to be taken against the defendants; there were no others to make defendants, as the trustees were indemnified against all acts but their

own. In respect to patents, what answer would be given if an application was made for another theatre? why, the usual one, that there were two already: But how could that be said when one of them was closed? What attention had this select committee paid to this circumstance? In respect to the allegation that the debt had been incurred by the sub-committee, that was wholly denied by the answer; for it was explicitly stated that it was due before they became committee-men. This was not like a canal: Here the thing was established, with every thing to go on,—and why should it be stopped on an affidavit made by Mr G. H. Robins?

Sir Arthur then proceeded to read extracts from Mr Robins's affidavit, and comment on them as they respectively arose. The case of the persons who would be thrown out by closing the theatre, should also be taken into consideration, since to them such a proceeding would be utter ruin. It had been proposed by the select committee to raise a certain sum to pay ten shillings in the pound to the claimants,—but this was only to one part of them: and what, he would ask, was to become of the other? It was said the system should be altered. This brought a little day-light with it. Was it meant that the present sub-committee should alter their system of management, or that they should be turned out of their situations? The fact was, there was some job in it that was not at present known. What power had these gentlemen to pay certain debts? How could they do that when they could not displace the old fencers? What right had the sub-committee to tolerate, for a moment, the proposition to give to George Colman, Esq. the whole and sole command over the theatre? He might be the most eligible person for such a trust; but yet the committee had no right to com-

mit the expenditure to the hands of one man, when the legislature had expressly said it should be vested in the hands of a committee? It had been said, that great difficulty prevailed in obtaining goods for the theatre from tradesmen,—that charge did not apply to the five defendants, who were wholly blameless. The arrangement respecting the ten shillings in the pound had been come to on the express condition, that the theatre should not open till the money had been paid, and the present sub-committee had resigned, except Lord Yarmouth. What right had the select committee to enter into any such contract? If they went to the legislature for an act of parliament, if any defect appeared in it, they should again apply to the legislature for relief;—they had no right in the Court of Chancery. One thousand pounds was all that was wanting to open the theatre, and the defendants had offered to advance it. The act of Parliament had directed, that the sub-committee should be approved of by the general meeting: That had been the case, for no new one had been formed; the present was merely additions made on vacancies occurring.—How then could it be said that the present was not a valid committee?

The Lord Chancellor said there was an express clause in the act, that the committee, when first appointed and approved of, should be invested with the management.

Sir Arthur Piggott proceeded:—The plaintiffs' shares only amounted to 40% while those of the five defendants amounted to 90%, and why were they to be removed when there was not one specific charge brought against them? All that was said was, that they were generally and universally complained of. All the allegations in the bill were denied by the answer. If it was intended to overhaul the management, the whole of the sub-com-

mittee's predecessors ought to have been brought forward to answer for their conduct. Mr P. Moore, at the commencement of the last season, advanced 1000*l.* to enable the theatre to open: a like sum was now ready, and could the Court say it should be kept shut? It was true, there were debts on it, but that was no reason they should not have an opportunity of liquidating them. Would the Court say, that the select committee should lock up the theatre, and disperse the performers, and cut up the concern root and branch, because they were a little embarrassed? He trusted he should not have to address his Lordship in reply, to induce him to open the theatre, or rather to suspend this extraordinary injunction. He reminded his Lordship, that though the house was shut, the rent to the Duke of Bedford was still going on; the taxes proceeded; the interest on the bonds accumulated; the interest on 3750*l.* per annum, for eighty years, was going on, and nothing coming in to liquidate all those charges. The loss the holders of private boxes would sustain—the ruin that would be entailed on the poorer classes of persons about the theatre—and the salaries of those persons who must of necessity attend, although the house were shut, were among the arguments used to induce his Lordship to dissolve the injunction, and with which the learned gentleman concluded a speech of two hours duration.

Sir Samuel Romilly hoped he should not take up much of his Lordship's time. His learned friend had had an extremely difficult task to perform, and he had proved that he needed no acquisition of strength, for there had been as large a portion of time expended as though the whole three had been heard. He strongly deprecated the asperity with which this case had been conducted, and the artful man-

ner, he must say, in which it had been argued. Had the objection relative to the want of parties been persevered in, it would only have delayed the hearing till to-morrow. The case must be taken to be now argued *de bene esse*, and, in his opinion, its merits lay in a very narrow compass. The case had been put as eight proprietors against five. This was not the fact, for it was a bill filed for carrying into effect an opinion expressed by a great body of proprietors at a general meeting. In fact, it would be impossible to bring all the parties before the Court, as from death, abatement, and all other causes, the question might never be brought to a conclusion. There was no act of Parliament that prevented a few persons coming before the Court in behalf of a great number of persons with their expressed wish. He did not know why the names of Messrs Cocker and Ellice were so particularly brought before the Court, for he had never heard that gentlemen of the profession had ever come before it in any other situation than other persons. He had heard of a story which happened many years ago on the Welsh Circuit, where the jury were all Welshmen, in which it was said, on coming to a name in the paper of causes, "Oh! we'll take this, it can't take long, for I shall tell the jury the plaintiff is a rich attorney, and the defendant a poor widow, when they will soon dispose of it." He did not know if his learned friend was of this opinion, but he must deprecate the insidious way in which Messrs Ellice and Cocker had been mentioned. Sir Arthur Piggot had designated this as a monstrous case, and that it was unnecessary to say any thing further on it. He did not mean to throw the slightest insinuation on the sub-committee, who, it was possible, might be possessed of talents to sway empires, but he must say they were not fit to hold the reins of thea-

trical government, for they would bring nothing but ruin on the concern; if the blow was not averted by shutting up the theatre. One fact was, his learned friend did not like a change of administration. To turn out an administration was not always so comfortable a job as some persons supposed, and in this case the select committee was not biased by gain, for they acted voluntarily and without reward. If their object was to turn out the present theatrical administration, and get in themselves, it could not be for the love of power, but to avert the ruin pending over them. It had been described as a secret job, and this was the whole of the case—they wished to save themselves from ruin.

The Lord Chancellor.—The great seal is in the hands of the five.

Mr Peter Moore.—No, my Lord, they have no power.

Sir Samuel Romilly.—The keeper of the conscience is the second named defendant.

Sir Arthur Piggott.—He cannot act, my Lord.

Here the Court, the most crowded we ever witnessed, burst out into a hearty laugh, his Lordship himself being unable to maintain his gravity.

Sir Samuel proceeded.—The words in the affidavit were, “will” and “may” be the ruin of the proprietors, if the committee are suffered to open the theatre.

This was denied, it being contended that it was only “may.”

The Lord Chancellor.—The affidavit handed up to me has the words will and may in three different places.

Sir Samuel proceeded.—The debts had increased under the present administration; it was therefore better to put an end to it altogether, than let the ruin go on increasing, for the time must come when an end must be put to it, and it ought to be done before fresh contracts and expenses to a much

greater amount had been incurred. The present reminded him of a plot to overturn a government with a treasury of 17l.—(Laughter.)—The 1000l. that had been advanced, had never come back, but many had gone after it, which would be the case again if the theatre was opened. If they could find a good-natured creditor who would stop till best suited him, and then come and sweep every thing away by an execution, and after this, if they could find a good-natured public who would go to see the performers in their common clothes, without gardens, trees, &c. usually exhibited, it might be very well to open the theatre, but till that could be done, it was folly to think of opening. If by the arrangement of the select committee, the most pressing debts could be got rid of, the theatre might again go on. The opinion that appeared so monstrous to Sir Arthur Piggott, was held by the great majority of 50 proprietors out of 200. The sub-committee acted on mere sufferance.

The Lord Chancellor.—What has been the practice under the act?

Sir A. Piggott.—There has been no objection made till this bill was filed.

The Lord Chancellor said, that he should read over the acts very carefully. He thought the specification agreed to before the House of Lords was, that Drury-lane Theatre should never come into the Court of Chancery.

After much argument, in the course of which Sir Samuel ironically assimilated the persons in office in the theatre to the great officers of state; he said that Mr Lamb, who had been one of the committee, had now become a plaintiff against them. Sir Arthur was very much surprised at its being wished to place the whole management in one person's hands, but a proposition to that effect had been made by his clients. One person had the manage-



ment of the other theatre, and under his guidance it prospered. This case was the same as that of a canal which had stopped for the want of funds, for that was the very case here. It was not just that the proprietors should be losing 8000*l.* a year to support the performers, when they had already lost so much. An appeal ought to be made to the public, whom they had delighted, in their behalf. Sir Samuel concluded by submitting, that as the Court was justified in granting the injunction, so it was in maintaining it.

Sir Arthur Piggot made a most able reply, and concluded by submitting that the injunction should be dissolved.

The Chancellor delayed giving judgment till the following day, when he stated, that, after having carefully perused the bill, and the acts to which it referred, the result of the whole was, that by the first act the proprietors were constituted a corporate body, and had powers vested in them, which the legislature gave them very particular directions how to discharge. He might lay it down as a principle of law, that while the powers vested in select parts of a corporation, could be exercised by the select parts of that corporation, it was impossible for him to say that a body of men could assume powers which were not given them by the act of the legislature. The general assembly of proprietors in this case might give advice; at least they might appoint a select committee to give such advice, but that committee had no power to dictate to the general or sub-committee what they ought to do. If it was true, as was alleged, that the general committee was not a valid one, and that the sub-committee was in the same state, by not acting agreeably to the provisions of the act of Parliament, then the question before him was, whether the corporation could any longer exercise their

powers, and he must judge of that as he would do in the laws made relative to corporate bodies. This question, however, might as well be avoided, for the benefit of all parties. It would perhaps be as well for him not to go into the affidavits at all; yet he felt very much that this speculation was going on at an immense hazard. Of this he was very deeply convinced, but how was it possible for him to interfere in a case where the powers of the committee were settled by act of Parliament? He had given the case his most serious attention, and after weighing all the circumstances in his mind, he was decidedly of opinion that he could not support this injunction, on account of the absence of parties; this was not the only reason, for he also was convinced that no case whatever had been made out to justify him in continuing the injunction.

The injunction was accordingly dissolved.

#### AYRTON AGAINST WATERS, FOR MANAGEMENT OF THE OPERA HOUSE.

*Sheriff's Court, January 10.*

Mr Wild stated, that the plaintiff was William Ayrton, Esq. and the defendant Edward Waters, Esq. The declaration was for 1200*l.* for work and labour. The defendant had suffered judgment by default, and the Jury were impanelled to ascertain the damages.

Mr Scarlett, in a very eloquent speech, addressed the jury. He attended, he said, on behalf of a gentleman whose name was of high celebrity in the musical world. The plaintiff was the son of Dr Ayrton, an eminent professor, and many years master of his Majesty's chapel. He had brought up his son, the plaintiff, in the same

profession, had given him a liberal education, and had rendered him fit to engage in any situation, or associate in any society. The defendant was a gentleman extremely well known—almost as well known in courts of justice as the King's Theatre itself, in consequence of the contest in which he had been engaged with Mr Taylor, the former proprietor. The object of the present inquiry was, to ascertain what sum of money was reasonably to be paid to the plaintiff for the labour, assiduity, and skill he had bestowed in the concerns of Mr Waters, in the musical department of the Opera House last season, and for other services, which, though not falling under that class, had been rendered by the plaintiff for the defendant. He would here observe, that the Italian Opera had for many years been unproductive. To those who frequented the Italian Opera it was well known, that on former occasions it was sufficient if the Manager exhibited one singer, male or female, in a season, whose attractions were sufficient to draw the attention of the audience: but all propriety in getting up the drama for theatrical representation was thrown in the back ground, in order to render more prominent the particular person engaged as principal singer. In the event of the singer so engaged failing in producing the effect expected, there were also engaged in a season two new principal dancers to perform in the ballet. He recollected, in the early part of his life, when he had more leisure, though not more taste, than he had at present, he was used to attend the Opera, and it was then considered that it was quite in time if any one arrived at the Theatre before the ballet commenced; for such was the state of the Italian Opera, that many persons of the higher order, many of whom had great taste—nay, the whole mass of the British public, who knew the

connection there was between the fine arts, regretted the state of the Italian Opera as it then was, and wished an attempt should be made to introduce the Operas of the best masters, and that they should be got up so that all the parts should be cast in the most advantageous manner. Mr Waters particularly was influenced by a desire to produce that effect. It so happened that the attention of Mr Waters was directed to Mr Ayrton, by the celebrity the latter had acquired as manager of the Philharmonic Concerts. Mr Waters thought no one better qualified to undertake the musical department of the opera than one who had conducted those concerts, which were attended with a greater degree of fame than any concerts had ever been before. In former times, if you heard one fine piece of music in a concert, you were obliged to listen to many dull and tiresome compositions; but the conductor of the Philharmonic Concerts proceeded upon the principle of excluding every thing that was not excellent; and with such success had they been attended, that the number of subscribers was only limited by the size of the room in which they were performed. Thus was Mr Ayrton introduced to Mr Waters. He was a gentleman, a scholar, acquainted with foreign languages, understood not only what belonged to the science of music, but to the business of the world. Mr Waters applied to him in general terms for his assistance. Mr Waters had himself no intimate knowledge of music, nor was he much acquainted with foreign languages; therefore his engagements with his Italian performers were of necessity by proxy. He induced Mr Ayrton to accompany him to Paris. When arrived there, the first step was to engage Ambrogetti, Angisani, Camporese, and Madame Fodor. Every pains were taken by Mr Ayrton, to form a complete corps dra-

matique, in which one particular person should not stand before the rest, but where every part should be equally prominent. The success of the Opera, in consequence of those arrangements, was unbounded. The zeal of Mr Ayrton was not confined to his duty; he wrote the advertisements for the defendant—composed for him. (Here the learned counsel read an advertisement, published by Mr Waters, which expressed his own ideas of the extraordinary success of the Italian Opera last season.) Upon the subject of the various duties which devolved on the plaintiff, his first was to give his advice to the proprietor as to the merits of the vocal and instrumental performers previous to their being engaged. He was, likewise, if necessary, to re-model operas, a duty which did not depend on the mere knowledge of music, but required other qualifications; for music might be set to the grossest nonsense. The poetry of one of the finest Italian lyric poets, Metastasio, had been so altered by the writers of operas within the last century, that they had become the subject of ridicule among the wits of those days. The plaintiff had, therefore, to restore the purity of the poetry to such operas as had been degraded by the style in which they had been written. Another duty imposed upon the plaintiff grew out of this circumstance; the performers of the opera were generally gifted with great talents, and many of them had, in consequence, a considerable, but just share of vanity. Particular singers conceived that they acted particular parts, or sung particular airs, better than others. This produced jealousies among them, and it was the task of the musical director to compose these jarring feelings. He was himself to determine that for which they were most fit, well knowing, that they were themselves not always the best judges upon that subject. This

species of vanity was not confined to singers; for it was well known that the most splendid orators had made themselves ridiculous by pretending to be what nature never intended them—poets. The musical director had to appreciate and direct the genius of each individual performer. A director, who was to adapt the music of such a man as Mozart, or, to use the phrase of Milton, “to marry music to immortal verse,” was not a director who was to be met with every day. Here was a Signor who desired to have such a song, and a Signora who preferred such an air. It required a man of profound knowledge of the world to soothe the irritations of the one, or flatter the other, in order to induce them to make a sacrifice of their vanity. It required such a man as Mr Ayrton, a man of suavity of manners, of great address, of sound judgment, and refined taste. Mr Waters would have done well if he had kept this gentleman in his service; but the love of economy had prevailed. The only question then was, what should be the remuneration? He should call professors, who would say, that they would not have filled Mr Ayrton’s situation under 1000*l.* a-year;—they would say, that it was impossible to have procured a fitter man, or one who combined more talents than Mr Ayrton. He was, therefore, entitled to a liberal compensation. As Mr Waters had thrown it on a *quantum meruit*, he trusted the Jury would give the plaintiff what he deserved. It was not unusual formerly to pay large salaries to persons who filled this department. The late Mr Sheridan, to whom no one was a better judge, did not think 1000*l.* a-year too much. It was to be observed, that the music was of the best sort, and the performers of the first eminence. Madame Fodor had 1500*l.* a-year, and the others were paid in the same proportion. It was therefore important, that such talents

should not be thrown away; but should be made the most of. Madame Catalani had rated her services so high, that Mr Waters could not engage her last season; that lady was of herself a host, and when she sung, Mr Waters trusted to the General, not so much attending to the Soldiers; but, since her departure, the attractions of the Opera had depended on the engagement of the plaintiff, and certainly there never had been a season at the Opera House which had passed off so pleasantly to the performers, or so beneficially to the proprietor.

Mr Serjeant Copley rose, and made a very able defence on the part of the defendant. He said, that with regard to one observation which was made by his learned friend, namely, that the gentleman who was the defendant was well known in the Courts of Law, in consequence of the litigation which he was carrying on—he was quite sure the Jury would be satisfied that Mr Waters was not influenced by a spirit of litigation. This was not a question as to the general merits of litigation. This was not a question as to the general merits of Mr Ayrton, and what Ayrton would be entitled to receive; but the question was, what was the specific contract entered into, and what sum this gentleman was to receive by express stipulation. If he proved what was the extent of the remuneration he was to receive by a contract, that would be the measure of the damages. In 1816, in consequence of the personal infirmities of Mr Kelly, who had superintended the management of a pe-

rietary to look for some assistance with respect to the stage management—not the general management, but with respect to that department in which Mr Ayrton was engaged for one season, for the sum of 400*l*. Immediately after this engagement, Waters proposed going to Paris, in order

to strengthen the corps of performers, but told Mr Ayrton distinctly, you are not to expect a remuneration: that was the proposition he made to Mr Ayrton, to which he conceded. Mr Ayrton having conceded to this proposition, went to Paris, and, to a certain degree, assisted in the selecting of performers for a short time; but it was found that a Mr Bonnelli, who was on the spot, was more experienced than Mr Ayrton, and was a person who spoke the languages fluently—French and Italian accurately; and could do this more completely than Mr Ayrton. Having done this at the expence of Mr Waters, after he had run through all the amusements of Paris, he returned to this country, and almost immediately after called on Mr Lees, a friend of Mr Waters. Mr Lees was desirous of knowing what arrangements were made; upon which Mr Ayrton said, “I don’t know, because the business has not been transacted by me, and it has been a party of pleasure.” So much with respect to that part of the demand, and I am sure that when he comes to prove this contract, there will be an end of all claims on the part of Mr Ayrton. Then to the second part, namely, what remuneration this gentleman is entitled to receive in consequence of his services. Mr Kelly, who had been manager for twenty-six years, had never had a salary of more than 400*l*. for all his various duties. Mr Ayrton, who merely took under his direction the musical department, was engaged at a salary of 400*l*. By the assistance of Mr Lees, he should prove that Mr Ayrton was engaged at 400*l* for the season, and the Jury would say whether or not that was really the contract between these gentlemen.

Charles Lees sworn. Examined by Mr Serjeant Copley.—Said he was an assistant of Mr Waters. Mr Ayrton was engaged in September; he repeatedly told witness that he was en-

gaged at a salary of 400*l*. At the period of the negotiation of the nobleman and Mr Waters, Mr Ayrton begged of him to mention to Mr Waters, that his 400*l*. should be changed to 500*l*., and instead of his name standing in the book as Mr Ayrton, it should be changed to William Ayrton, Esq. Mr Waters objected to the alteration of the 400*l*. to 500*l*., but he smiled at the alteration of Mr to Esq., and adopted it. Mr Waters afterwards made a proposal to witness to go to France, when he recommended Mr Ayrton, and afterwards communicated Mr Waters's proposal to Mr Ayrton, which he accepted very willingly, and added, that if Mr Waters would pay his expenses there and back, he should be glad to go. Witness communicated this to Mr Waters, and he went. He was absent about two months. Mr Waters said he would also pay for Mr Ayrton's amusements at Paris. The morning after his return, witness saw him, and on asking what had been done, he said he had scarce had any thing to do with the engagements which were made by Mr Waters, and added, that as for any assistance he was to Mr Waters, he might have remained at home.

Cross-examined by Mr Scarlett.—Held no situation under Mr Waters. His connexion with him was a friendly one. He did receive a gratuity for what he did. He assisted Mr Waters in the management: He received no settled reward for this; it was quite at the discretion of Mr Waters. He had received large sums from Mr Waters for a concern in the beginning of 1815, when he came to the Theatre with Mr. Perry; was not sent by Mr Waters to Mr Ayrton. Had no recollection of having said to Mr Ayrton that no man could exercise an active employment in the management of the Opera-House but becoming a confirmed liar. Would positively swear he

did not say so. There were various sorts of lies told respecting the Opera-House; he meant respecting orders issued, and so on. It was necessary that a person becoming connected with a theatre should sometimes state that which was incorrect, with a view to meet the objects of the concern.

Mr Scarlett now replied at considerable length, and with great ingenuity, contending that nothing had been offered to lessen the demand of the plaintiff, who, he submitted, was entitled at least to 1000*l*.

The Under-Sheriff then summed up the evidence, leaving it to the Jury to form their own conclusion as to whether the contract described by Mr Lees had actually been entered into between Mr Waters and Mr Ayrton, or not. If they were of opinion that the contract had been entered into, then Mr Ayrton's claim must be limited by his own agreement. If, on the contrary, they thought no such contract had been formed, they would then advert to the general nature of the duties which Mr Ayrton had performed, his fitness to perform them, and the reward to which he was entitled. Upon this point they would be enabled to form their judgment by the evidence which had been given in the early part of the cause.

The Jury, after a short consultation, found a verdict for the plaintiff. Damages—500*l*. Costs, 40*s*.

## SAILOR AND MONKEY.

### *Man-of-war-House.*

On Tuesday, Sept. 8, the Lord Mayor, in the course of his business, was interrupted by a sailor, a showman, and a monkey, who arrived at the Justice-room with a great multitude behind them. The monkey was

making a most hideous noise, and the sailor and showman, who had been arguing on their way to the Mansion-house, were so completely absorbed in the subject of dispute, as not to take notice, for some time, of the authority presiding. The monkey, however, was more respectful in his manners, and seemed to have a due impression of the dignity of the magistrate before whom he was brought. His Lordship having noticed the respectful demeanour of the monkey, called upon the sailor and showman to follow the example of the animal, who at that moment began to exhibit some of his most amusing tricks, such as pulling the showman's nose, untying his cravat, dragging open his waistcoat, &c.

The Lord Mayor having desired that if there was any complaint to be made, it should be proceeded upon, the sailor said, he and the monkey were the injured party; the showman was the aggressor.

His Lordship seemed to think that the monkey would be as well able to explain the matter as either of his companions; and the conclusion appeared to be just, for while the features of the men were agitated with passion, the monkey's were as grave as those of a philosopher.

The monkey kept his eye fixed upon the Lord Mayor, and at the conclusion of every sentence from his Lordship, uttered a piercing cry.

The sailor at length made his complaint. He stated that he went into Gilman and Atkins' exhibition of wild beasts, in Bartholomew Fair, and while he was looking at the curiosities, he recognised the monkey which was now before his Lordship to be his own property. He had purchased it for four or five dollars at St Kitt's, some months ago, and upon his arrival in this country, he had lost it at Portsmouth. Upon entering the show, he immedi-

ately told the keeper that it was his monkey, and have it he would. The keeper refused to give it up, and declared that his master had bought it fairly for 1*l*.

The showman here got into a high passion with the monkey, who had seized him with such violence by the nose as to make him roar out. The animal growing more and more averse to the control of the keeper, held his paws out to the sailor, and moaned piteously.

The Lord Mayor said, the only way for him to decide upon a case in which there was positive assertion on both sides, was to leave the matter to the monkey himself. His Lordship then directed that the monkey should be placed upon the table, and that each party claiming him should use his powers of fascination, in order to ascertain to whom the monkey was most attached.

The monkey was put upon the table, but narrowly escaped death, from an attack made upon him by a dog, a constant attendant at the Mansion-house. Having escaped this danger, the Lord Mayor marked the effect of so important an adventure, and seeing that the monkey fled to the arms of the sailor (who shewed most concern,) for protection, and that the animal throughout had evinced towards him the greatest attachment, he thought he was the rightful owner. The desired experiment, however, was now made, and the showman put a piece of stick into the monkey's paw, and desired him to shoulder arms. Instead of obeying this order, the monkey struck the keeper on the head, and then threw it in his face.

The sailor next called upon the animal, saying, "Jack, look sharp, and make a *salam* to his Lordship." The monkey instantly stood erect on his hind legs, raised his paws to the top

of his head, and made a low bow to the Lord Mayor, in the Turkish style. He then hugged and fawned upon the sailor as before. "If any thing else is necessary," said the sailor, "to prove him mine, I can show it. There is a hole in one of his ears, which I bored in St Kitt's, for it is fashionable for the bucks to wear an ear-ring there. His left paw is staked by a fishing-hook, and part of his tail is bitten by a parrot that used to quar-

rel with him." These marks were observed.

The Lord Mayor advised the showman to give up all claim to the monkey, but he refused. The sailor refused to part with the monkey, and the monkey would not part with him. The disputants at length left the office, the monkey clinging to the neck of the sailor in the most affectionate manner.

## II.—PROCEEDINGS OF SOCIETIES.

### ROYAL SOCIETY OF LONDON.

THE Society met on November 6, but in consequence of the death of the Princess Charlotte of Wales, the meeting was adjourned.

Nov. 20.—Sir Everard Home read the Croonian Lecture, the subject of which was the changes which the blood undergoes in the act of coagulation.—A considerable part of the paper consisted of an account of a number of minute microscopical observations that had been made by Mr Bauer, on the red particles of the blood. He attempted to form an estimate of their size, and gave a description of their appearance. Their colouring matter he conceives to be something superadded to their proper substance; he supposes that they possess a regularly organized structure; and by comparing them with the appearance which the muscular fibre exhibits, when highly magnified, he concludes that these particles are the immediate constituents of the fibre. With respect to the generation of vessels in effused blood, he imagines that it depends upon the gas which is extricated from blood during its coagulation; this, by insinuating itself between the adhering particles, produces tubular cavities, which are afterwards converted into more perfect vessels.

Nov. 27.—A paper by Mr Steppings was read, on the increased strength given to ships of war by the diagonal braces.—It contained an account of some very ample trials that had been made of this method of constructing the framework of vessels, the result of which was such as completely to justify the expectations which had been

raised, and to confirm the favourable reports that had been made on the subject.

On Monday, Nov. 31, the Society held its annual meeting for the election of officers for the ensuing year.—There were elected,—

*President.*—Right Hon. Sir Joseph Banks, Bart. G.C.B. &c.

*Secretaries.*—Wm. Thos. Brande, Esq. and Taylor Combe, Esq.

*Treasurer.*—Samuel Lysons, Esq. There remained of the old council, Right Hon. Sir Joseph Banks, Bart.; William Thomas Brande, Esq.; Samuel, Lord Bishop of Carlisle; Taylor Combe, Esq.; Sir Humphry Davy; Sir Everard Home, Bart.; Samuel Lysons, Esq.; George, Earl of Morton; John Pond, Esq.; William Hyde Wollaston, M.D. Thos. Young, M.D.

There were elected into the council, George, Earl of Aberdeen; Davies Gilbert, Esq.; Charles Hatchett, Esq.; Captain Henry Kater; William, Lord Bishop of London; Right Hon. Charles Long; John Reeves, Esq.; Richard Anthony Salisbury, Esq.; Edward, Duke of Somerset; Gloucester Wilson, Esq.

Since the last anniversary, 21 members have died; one has withdrawn, and 25 new members have been admitted. The present number of members is 682, of which 40 are foreign members.

The Copley medal was adjudged to Captain Henry Kater, for his experiments on the length of the pendulum vibrating seconds.

On December 11, a paper by Captain James Burney was read on the



geography of the north-eastern part of Asia, and particularly respecting the question, whether the continents of Asia and America are united.—From the accounts of different travellers and navigators, especially among the Russians, it would appear that there is still a considerable part of what is usually laid down in the maps as forming the coast of the northern ocean, which has never yet been accurately traced. The maritime boundary of the country of the Tchuktchi has never yet been explored; and so far as can be learned from the inhabitants themselves, they are ignorant of the extent of their own territory in the northern direction. Captain Bhering and Captain Cook, who successively made very important discoveries in the narrow part of the sea, composing what is now called Bhering's Straits, were never able to penetrate farther north than about the 70° of latitude. Beyond this, on the American continent, we are completely without any information; and, on the Asiatic side, we seem to have little certain knowledge until we arrive at the river Koryma, for about 20° of longitude. We have some imperfect accounts of a large tract of land lying beyond what is now marked on the maps as the N. E. part of Asia, to which the name of New Siberia has been given. This may either be an island detached from either continent, or it may be a part of America, stretching over to the westward; but respecting this country, if it actually exist, our information is very scanty.

On Dec. 18th a paper by James Smithson, Esq. was read, containing some remarks on vegetable colours. Among the substances which he examined were litmus, the colouring matter of the violet, of the blue hyacinth, of the blue paper which is employed for wrapping up loaf-sugar, of the mulberry; and the pigment called sap-green. Some of these are em-

ployed by chemists, as delicate tests of acids and alkalies; and various experiments were related respecting their action on these bodies, and the manner in which they were respectively affected by them. The author conceives it probable, that some vegetable colours may be produced by a combination of principles; that the red colour of flowers may depend upon the union of carbonic acid with a blue matter, and that in other cases a vegetable principle may be combined with a small quantity of potash, analogous to the substance which has been called ulmin. The author also gave an account of some experiments which he had performed upon the green colour which is procured from certain insects; this, he was led to conclude, is of a different nature from the vegetable greens.

On the same evening a paper by Dr John Davy was read, giving an account of the mountain called Adam's Peak, in the island of Ceylon. This has been long celebrated as the resort of pilgrims from all parts of the country, in consequence of a superstitious tradition, that the Indian god Boodha ascended into heaven from its summit, and left upon it the impression of his foot.

The mountain is supposed by the author to be between 6000 and 7000 feet high. It has a level area at its top, of nearly a circular form. The summit is surrounded by a grove of trees, of the genus rhododendron, but of a species which is said to grow in no other situation. The plants are accounted sacred, so that it was impossible to procure a specimen for examination. The mountain itself is composed of gneiss; the constituents of which exist in very different proportions in its different parts. In some districts horn-blende predominates so much as almost to change the character of the rock; but this passes by insensible degrees into a more perfect gneiss, without exhibiting any exact

limit of separation. The author observed some of the gems, which are the produce of Ceylon, imbedded in the gneiss which composes this mountain.

Jan. 8th, 1818.—A paper of Dr Brewster's was commenced, "On the Laws of Polarization in regularly Crystallized Bodies;" and, on the 15th, the reading of Dr Brewster's paper was concluded.

In the introduction to this paper, Dr Brewster gave a short account of the history and present state of the subject of double refraction and polarization. Malus had examined, with great care, the double refraction of calcareous spar, quartz, arragonite, and sulphate of barytes, and maintained, that he had demonstrated the perfect identity of their action upon light; whereas, it has been shewn by Dr Brewster, that the two first have one axis, while the two last have two distinct axes of double refraction. The able researches of M. Biot were made with calcareous spar, rock crystal, beryl, phosphate of lime, tourmaline, feldspar, arragonite, topaz, sulphate of lime, sulphate of barytes, sulphate of strontian, and mica; and the result of his experiments on these crystals was, that all of them had only one axis of double refraction and polarization, excepting certain specimens of mica which had two axes. Dr Brewster has however shewn, that no fewer than six of these crystals, including sulphate of lime itself, have two axes of double refraction and polarization.

In order to determine the laws of polarization and double refraction, Dr Brewster examined no fewer than 180 crystals, in 160 of which he found the property of double refraction. Only 22 of these possess one axis, while about 80 possess two separate axes of double refraction; and since the experimental laws of double refraction

and polarization have been investigated only for crystals with one axis, the general laws of the phenomena remain undetermined.

In the course of this paper Dr Brewster has proved, that there is a constant connection between the primitive forms of crystals and the number of their axes, so that the latter may be predicted from the former, and that these axes are coincident with some prominent lines in the primitive forms; he has shewn, that the irregularities observed by M. Biot in sulphate of lime, are the legitimate and calculable results of its having two axes; he has established general laws, by which the phenomena of the coloured rings, and the phenomena of double refraction, may be calculated with the utmost facility of accuracy for any given number of axes; he has proved that all the cubical, octohedral, and rhomboido-dodecahedral crystals have three equal and rectangular axes, which in general are in a state of equilibrium; and he has shewn, how all the classes of crystals may be artificially imitated during the passage of heat through glass, the two sets of phenomena being regulated by the same laws.

The general laws to which Dr Brewster has been conducted by this laborious investigation, with which he has been occupied more than three years, are not empirical classifications, which merely represent the phenomena. They are laws rigorously physical, and founded on the principles of mechanics. The polarizing forces, and the forces of double refraction, are combined and resolved like all other forces; and the phenomena of polarization and double refraction can thus be computed with as much accuracy as the motions and positions of the heavenly bodies.

In the course of this inquiry, a number of new and remarkable properties

of light were discovered, which the author has promised to communicate to the Royal Society in a series of separate papers.

January 22d.—A paper was communicated by Sir Everard Home, containing additional facts respecting certain fossil remains formerly described by the author in the Philosophical Transactions. The analogy between the animal alluded to and cartilaginous fishes is destroyed by the examination of the bones of the sternum, which much resemble those of the *ornithorynchus paradoxus*. Sir Everard proved, that the fossil animal lived in water by the form of its vertebræ; while, from the shape of its chest, it was shewn to have breathed air. In concluding his observations upon these subjects, Sir Everard remarked upon the interest of discovering in this country fossil bones, which bear an analogy to those of an animal in New Holland of so peculiar a character as the *ornithorynchus*.

January 29th.—An extremely curious and important paper was read to the Society by Captain Kater, giving an account of his experiments for determining the length of the pendulum vibrating seconds in the latitude of London. We have already hinted, that the President and Council adjudged the Copley medal to Captain Kater for this important inquiry.—After shewing the objections to all methods hitherto practised for accurately ascertaining the length of the seconds pendulum, Captain Kater detailed, with great perspicuity, the mode of proceeding which he had successfully adopted, and which was founded on the reciprocity of the centre of suspension and oscillation. Captain Kater then describes the various corrections for temperature, pressure, and height above the sea; and, having shewn the advantages of his different methods, concludes, that the length of the pendulum vibrating seconds, in va-

cuo at the level of the sea, measured at the temperature of 62° Fahrenheit, and the latitude of the place of observation deduced from the data contained in the trigonometrical survey, being 51° 31' 8" 4 North; is,

By Sir George Shuckburgh's

standard, . . . = 39,13860 in.

By Gen. Roy's scale = 39,13717 do.

By Bird's Parliamentary standard, . = 39,13843 do.

February 5th.—Captain Kater communicated a paper on the length of the French metre, estimated in parts of the English standard. For the purpose of ascertaining this important point, two metres were sent from Paris. The one is a bar of platinum of the exact length, and called the *metre à bouts*; the other is a somewhat longer bar of the same metal, upon which the length of the metre is shewn by two very fine lines,—it is called a *metre à traits*. The mean result of several very delicate experiments gave the length of the French metre = 39,37071 inches of Sir George Shuckburgh's scale, or 39,37063 inches of Bird's Parliamentary standard.

At the same time a paper was read by Thomas Andrew Knight, Esq. on the office of the heart-wood of trees. Mr Knight's object in this paper was to shew, that the heart-wood of trees is a winter reservoir for the organizable matter required for their germination in the spring, and that the presence or absence of this reservoir is connected with the annual, biennial, and perennial duration of plants. The annual, having no such reservoir, is ~~exhausted~~ exhausted in forming its flowers and seeds; a biennial fills its reservoir one season, and exhausts it the next; and, in the tree, part of the sap descends to form roots, and part ascends to produce buds, and it also forms a new annual layer of bark.

Mr Knight's paper also contained some statical experiments on the quan-

tity of water contained in the albumen of different trees, at different seasons of the year.

February 12th.—A paper by Dr Marshall Hall was read, on the combined agencies of oxygen and water, in producing the oxidization of iron. Dr Hall has shewn in this paper, that iron is incapable of decomposing water at common temperatures, and that it becomes rusty, or oxidized, when exposed to common water, as is generally stated; but, from the decomposition of the air in water, he also shews, that nitrogen alone is evolved and no hydrogen, and that when water is deprived of atmospheric air, or oxygen, iron retains a clear and bright surface, though exposed for many months to its action.

At the same meeting, Sir H. Davy read some remarks on the fallacy of the experiments, in which water is said to have been formed by the decomposition of chlorine.

These experiments go to prove, that the oxygen required to form the water obtained in the experiment alluded to, is derived not, as has erroneously been asserted, from the chlorine, but from other sources, which had eluded the vigilance of the experimentalists.

Feb. 19th.—A letter from George Rennie, Esq., to Dr Young was read, containing an account of some experiments on the strength of materials. Mr Rennie shews in this communication, that the strength of cast-iron is extremely various, according to the circumstances under which it has been cast. Thus vertical castings are stronger than horizontal, &c. Observations are annexed on the relative strength of woods, stones, and other building materials.

Feb. 26th.—A paper was presented by Thomas Knight, Esq. containing a solution of an analytical problem; and another by J. F. W. Herschell,

Esq., "on circulating functions, and on the integrations of a class of equations of finite differences into which they enter as coefficients."

March 5th.—A paper was read to the Society on the parallax of certain fixed stars, by the Rev. John Brinkley, D. D. F. R. S.; and, at the same meeting, Sir Everard Home communicated some additions to his Croonian lecture, (see page 362. vol. IV. of this Journal,) Captain Kater having put the author in possession of more accurate measurements of the globules of the blood than those formerly given. Sir Everard now stated these to the Society, and is induced to consider the diameter of a globule of the blood as  $\frac{1}{1000}$  of an inch, instead of  $\frac{1}{800}$ .

This paper also contains many additional experiments and observations relative to the formation of tubuli, by the extrication of air during the coagulation of blood. The author also announces, that similar appearances are obtained during the exsiccation of pus; and applies this circumstance to the explanation of the formation of granulations in sores.

March 12th.—A letter from B. Bevan, Esq. to the President was read, relative to the discovery of some fossils in Leicestershire and Northamptonshire; and also a letter from Dr Fischer of Moscow, containing observations on the anatomy of spiders, with some illustrative drawings.

At this meeting the Society proceeded to ballot for foreign members, and the following gentlemen were announced by the president as duly elected into the Society:

Mr Nathaniel Bowditch of Salem, of the State of Massachusetts.

Messrs G. F. C. M. de Prony, Francis Arago, S. D. Poisson, and J. P. Haüy, of Paris.

The Society then adjourned for the Easter vacation.

April 2d.—A paper by Mr Joseph Swan was read, giving an account of a new method of making anatomical preparations.

On the same evening a paper by Dr John Davy was read, on the urinary organs and secretions of some of the amphibia. In several species of serpents, which were examined by the author, the kidneys were found of very considerable size, and of a long and narrow form. Ducts proceeded from them to the ureters, which last terminate in what appeared to be a distinct receptacle, communicating with the rectum by a sphincter. A white matter is deposited in the urinary passages, which is occasionally expelled by a kind of extraordinary effort, and which consists of uric acid. The urinary organs and secretions of lizards were found to be nearly similar to those of serpents. The fluid appears to contain no urea.

April 9.—A very important paper by Sir H. Davy was read, containing an account of a series of experiments on the combinations of phosphorus with oxygen and chlorine.

The author commences by noticing some late analyses of the phosphoric compounds, which have been made by Professor Berzelius and M. Dulong, which differ both from each other, and from Sir Humphry's former results. This circumstance induced him to reconsider the subject, and to attempt to discover the composition of phosphoric acid. The best way of accomplishing this, he found, is to burn the vapour of phosphorus as it issues from a small tube in oxygen gas. By adopting this process, he determined its composition to be 100 phosphorus to 194.5 oxygen. He then examines the composition of phosphorous acid, which is supposed to contain half as much oxygen as enters into phosphoric acid.

H. Davy then enters upon the

consideration of the acid which announced by M. Dulong, under the title of hypophosphoric acid. He is disposed to admit of its existence as a proper chemical compound; but he thinks that the analysis of it, given by M. Dulong, is not correct. With respect to the phosphatic acid of the French chemist, Sir H. Davy does not think that its existence is substantiated as a proper chemical compound. From a comparison of different experiments made on various compounds of oxygen and phosphorus, the author assigns 45 as the equivalent number for phosphorus; and, proceeding upon this principle, that the oxygen and hydrogen in water exist in the proportion of 15 to 2, he gives the following proportions:—In the hypophosphoric acid, the proportion will be 45 of phosphorus to 15 oxygen; in phosphorous acid, 45 to 30; and in phosphoric acid, 45 to 60.

April 16th.—A paper by Dr Grauville was read, on a particular malformation of the uterine system in women, and on some physiological conclusions to be deduced from it.

The case consisted of a female, whose uterus was found, after death, to have been entirely imperfect on one side, and to have had one set only of the lateral appendages; yet she had been the mother of 11 children, some of each sex, and was delivered of a boy and a girl at one birth. This case completely proves the fallacy of a physiological hypothesis which has been proposed, that the two sexes are formed on separate sides of the uterine system.

On the same evening a paper was also read by Mr Pond, on the parallax of  $\alpha$  aquilæ; in which the author relates some late observations which he has made, which cause him to doubt the correctness of Dr Brinkley's conclusions on this subject.

April 30th.—A paper was read, en-

titled, "New Experimental Researches on some of the leading doctrines of Caloric, particularly on the relation between the elasticity, temperature, and latent heat of different vapours, and on thermometric admeasurement and capacity;" by Dr Ure. This contained a variety of important

apparently accurate investigations upon the above important questions, and may be considered as a valuable addition to our stock of theoretical and practical knowledge in a very interesting department of science.

May 7th.—A letter was read from Mr Greatorex, containing an account of a geometrical admeasurement of Skiddaw, whence it appeared that the height of that mountain is 1012 yards 3½ inches.

A letter, addressed by B. Bevan, Esq. to the President, was also read, containing the results of a registering rain-gauge for the year 1817. The average time of actual rain was 1 hour 47 minutes per day; the average quantity per day was 0.62 inches. The observations were made at Leighton, in Bedfordshire.

A paper was also read on the structure of the poisonous fangs of serpents. By Thomas Smith, Esq. F. R.S.

The author shews that there is a longitudinal fissure in the poison-teeth of serpents, the use of which is not quite apparent. In the teeth of harmless serpents, no such formation is perceptible.

May 21.—A paper on the different modes of constructing a catalogue of fixed stars, by John Pond, Esq. Astronomer Royal, was read.

Mr Pond here proposed a method of effecting the above purpose, by which, in a single year, the same accuracy is attained as was formerly derived from the observations of three years.

A paper was also communicated

from Lieutenant-Col. William Lambton, entitled, an "Abstract of the Results deduced from the Measurement of an Arc of the Meridian, extending from lat.  $5^{\circ} 9' 38''$ , 4, to lat.  $8^{\circ} 3' 23''$  6 N. being an amplitude of  $2^{\circ} 53' 55''$ , 2."

May 28th.—The Astronomer Royal read a paper on the parallax of the fixed stars in right ascension.

At the same meeting, a paper was read on the oxides and salts of mercury. By Mr Denbarn.

June 4th.—A description of the teeth of the Delphinus Gaeteticus, was presented to the Society by Sir E. Home, Bart. V.P.R.S. And, at the same meeting, Dr Granville gave an account of the production of sulphurated azote in the abdomen, resulting from the decomposition of an albuminous dropsical fluid. The doctor considers this as a new and definite gaseous compound; and the results of his experiments led him to consider its component parts, as

89,60 azote,  
10,40 sulphur.

A paper was also read by John Williams, Esq., describing the influence of galvanism upon the germination of seeds, which, when powerful enough to do any thing, appeared generally injurious.

June 11th.—Dr Prout communicated a paper describing a new acid principle prepared from the lithic, or uric acid.

Our readers are well aware of the characteristic property of uric acid of producing a fine red compound, when heated with nitric acid.

Dr Prout shews, by some very interesting experiments, that this is a compound of a new acid principle with ammonia. This acid forms purple or red compounds with the metallic oxides, whence he calls it the purpuric acid.

A communication was also received from Sir W. Herschel, consisting of astronomical observations and experiments, selected for the purpose of ascertaining the relative distances of clusters of stars, and of investigating how far the power of our telescopes may be expected to reach into space, when directed to ambiguous celestial objects.

The President then adjourned the Society for the long vacation, which terminates on the 5th of November.

#### ROYAL SOCIETY OF EDINBURGH.

Nov. 17th.—The Royal Society having resumed their meetings after the summer vacation, the first part of a paper, by Dr Ure of Glasgow, was read, containing experiments and observations on muriatic acid gas. After giving a condensed view of the present state of Chlorodic controversy, he proceeds to detail a series of experiments which he had recently executed, for the purpose of deciding this fundamental point of chemical doctrine. Considering the composition of dry sal ammoniac to be definitely fixed by the concurrence of his experimental results, published in the *Annals of Philosophy*, last September, with those of M. Gay Lussac, at  $39.24$  ammonia +  $67.76$  muriatic acid gas, he exposed their laminae of the pure metals, silver, copper, and iron, ignited in green glass tubes out of contact of air, to the action of the vapour of the above dry salt, and found in each case the metal converted into a muriate, whilst a portion of water, nearly equal to one-sixth the weight of the dry sal ammoniac, made its appearance. To this part of the paper is subjoined the description and drawing of a new, simple, and accurate exploding gasometer, which the Doctor employed for analyzing the gaseous products of the above experiments.

At the same meeting, a paper by Dr Ferguson, Inspector of Hospitals, was read on the mud volcanoes of the Island of Trinidad.

In the beginning of the year 1816, this gentleman was employed, along with the Deputy-Quartermaster-General of the Colonies, and an officer of rank in the Engineer department, to make a survey of the military stations in the West Indies, during which their attention was attracted to this extraordinary phenomenon, in a district of country that had always been considered, according to their information, as strictly alluvial. It appeared to them to be so highly illustrative of the minor incipient degrees of volcanic agency in the formation of argillaceous hills, that they thought it would be right to mention it in their report, and Dr Ferguson was deputed to draw up the statement.

This gentleman found that the eruptions of these semi-volcanoes, two in number, which are situated in a narrow tongue of land which points directly into one of the mouths of the Orinoco, on the main, about twelve or fifteen miles off, at the southern extremity of Trinidad, and not far from the celebrated Pitch Lake, are at all times quite cold. That the matter ordinarily thrown out consisted of argillaceous earth, mixed with salt water, about as salt as the water in the neighbouring Gulf of Paria; but though cold at all times, that pyritic fragments were occasionally ejected along with the argillaceous earth. They also observed that several mounts in the vicinity possessed the same character in all respects as the semi-volcanoes then in activity, having all the marks, except the actual eruption, of having been raised through a similar process to their existing altitude, of about 100 feet; and that the trees around them were of the kind that are usually found near lagoons and salt marshes. The nature of the duties on which they

were employed, did not permit their attempting any analysis of the air, water, or earths furnished by the eruptions.

Nov. 24th.—A general meeting of the Society having been held for the election of office-bearers, the following gentlemen were chosen:—

*President*—Sir James Hall, Bart.

*Vice-Presidents*—Right Hon. Lord Gray, and Lord Glenlee.

*Secretary*—Professor Playfair.

*Treasurer*—Mr Bonar.

*Keeper of the Museum*—Thomas Allan, Esq.

*President of the Physical Class*—Sir George Mackenzie, Bart.

*Secretary*—Dr Hope.

*Counsellors of the Physical Class*—

Lord Webb Seymour, Mr Leslie,

Colonel Imrie, Mr Jamieson, Dr

Brewster, and Mr James Jardine.

*President of the Literary Class*—Henry Mackenzie, Esq.

*Secretary*—Thomas Thomson, Esq.

*Counsellors of the Literary Class*—

Mr Pillans, Dr Macknight, Mr

Dunbar, the Rev. Mr Alison, Lord

Reston, and Rev. Dr. Jamieson.

Dec. 1st.—A paper by Dr Brewster was read on the laws of double refraction and polarisation.

Dec. 15th.—A paper was read which had been announced at the first meeting, by Dr Murray, containing experiments on muriatic acid.

1818. Jan. 5th.—The continuation of Dr Murray's paper on muriatic acid gas, was read. The conclusion drawn from the experiments before and now detailed, is, that chlorine is not a simple body, but the idea of its being a compound of muriatic acid gas, is not adopted. Dr Murray then offered a theory in explanation not only of the nature of muriatic acid, but of acids and alkalis in general. Both oxygen and hydrogen were supposed to have the power of conferring aci-

dity and alkalinity on the bodies with which they combine, and that when both combine at once with a body, the properties which they impress are proportionately increased. Chlorine, therefore, is conceived to be a compound of an unknown base with oxygen; muriatic acid a combination of chlorine with hydrogen, or rather of the same radical with oxygen and hydrogen. Sulphureous acid is a binary compound of sulphur with oxygen, and is analogous to chlorine; sulphuric acid is a ternary compound of sulphur, oxygen, and hydrogen, and is analogous to muriatic acid.

In alkalis, an analogous series of combination are supposed to exist.—Ammonia is in the same relation to this class of bodies that sulphurated hydrogen is to the acids; morphia holds the same rank among them that prussic acid does among its fellows; and the fixed alkalis and alkaline earths are considered as ternary compounds of oxygen, hydrogen, and a base like the stronger acids.

At the same meeting, a paper by Dr Brewster, consisting of extracts of letters from Mr Boog to his father, the Rev. Dr Boog of Paisley, was read, giving an account of the recent discoveries respecting the Sphinx, and the principal pyramid of Egypt, which have been made by Captain C. and Mr Salt.

By very laborious excavation, it has been ascertained that the Sphinx is cut out of the solid rock upon which it rests. At the pyramid it was found that the short descending passage from the entrance, which afterwards ascends to the two chambers, is continued in a straight line through the base of the pyramid into the rock upon which it stands. This new passage, after joining what was called the well, is continued in a horizontal direction, and terminates in a well ten feet deep, exactly beneath the apex of the pyramid;



and 100 feet below its base, an apartment has been discovered immediately above the King's Chamber. The ornamental part is very beautiful, but it is only four feet in height.

Jan. 19th.—The second part of Dr Ure's paper on muriatic acid gas, was read. It relates to the water that adheres to apparently dry muriate of ammonia, and to the experiments in which, by passing dry muriatic acid gas over iron ignited, water was obtained. The Doctor infers, that chlorine is oxymuriatic acid, and that muriatic acid gas is dry muriatic acid and water.

At the same meeting, a paper by Dr. Brewster, was read, on a singular affection of the eye in a healthy state. When the eye is steadily directed towards an object, that object will always continue visible; but if the eye be fixed on a second object in the neighbourhood of the first, the first object will, after a short time, disappear, however situated with respect to the eye, or whatever its colour or appearance. When the object produces its accidental colour before it vanishes, the accidental colour disappears with the object. In the course of an investigation into effects of this kind, Dr Brewster was induced to form a new theory of accidental colours, which will shortly be made public.

Feb. 2d.—Mr W. Allan read a paper on the geology of the country around Nice; and from the circumstances detailed in the paper, that part of Italy must be of extreme interest to the inquirer. There are many indications that great changes have taken place in this country, not only in the situation of the rock and strata, but even in the height of the land and waters. The cracks and fissures in the rocks are frequently found to contain shells similar to those which now exist in the Mediterranean; and they are

found also high up among the alluvial soil, and down by the sea from the Harmetine countries. More than 20 new species of shells have been found in the strata of the Peninsula of St Bonassure.

Mr Playfair communicated a paper by General Sir, Thomas Brisbane, on the determination of time by equal altitudes.

Feb. 16th.—Mr Macvey Napier read a paper, entitled, "Remarks illustrative of the Scope and Influence of the Philosophical Writings of Lord Bacon."

Mr Napier stated that his object was twofold; first, to shew that Bacon's philosophical merits were such as to give him a peculiar and pre-eminent character among the early restorers of genuine science; and, next, to trace the effects which his writings produced in accelerating the progress of scientific discovery. The consideration of the latter point would form, he said, his principal object, as there seemed to exist more of doubt, as well as of misapprehension, in regard to the influence of Bacon's writings, than in regard to any other point connected with them.

Under the first head, he took occasion to comment upon a late depreciatory estimate of Bacon's philosophical writings, published in the "Quarterly Review," and then proceeded to some general remarks illustrative of their peculiar merits and importance. Under the second head, he entered into a variety of statements, and cited a variety of early authorities, to prove that Bacon's writings contributed more than any other cause, to forward the progress of science in England, and to form that great experimental school which produced the discoveries of Boyle and Newton. In this part of the inquiry, he endeavoured to shew that the first idea of the Royal Society was suggested by Bacon's writings,

and not, as some have supposed, by the institution of scientific academies abroad. In the last place, he proceeded to inquire, whether any similar effects to those produced by these writings in England, had been produced by them in other countries? He here quoted a number of foreign publications, to shew that Bacon's writings had early made an impression abroad, greatly favourable to the progress of truth, and that beneficial effects were largely ascribed to them by many early writers who witnessed their operation.

March 2d.—Dr Murray read the first part of a paper "On the Relation to the Law of Definite Proportions in Chemical Combinations, the Constitution of the Acids, Alkalis, and Earths, and their Compounds." Its object was to determine if the composition of these substances, according to the theory which he has lately proposed, be conformable to the law of definite proportions. The part of the paper read extended to the acids, of which sulphur and carbon are the radicals, the vegetable acids being comprised under the latter. A very strict coincidence is found in the actual proportions, according to the theory, with the law, so as to afford proofs even of the truth of the former; and some of the results display views very different from those which have been hitherto proposed.

At the same meeting, an abstract of a new paper by Mr Lauder Dick, on the parallel roads of Lochaber, was read. Upon considering the paper which he had prepared on the parallel roads of Lochaber, since his second visit to that district, he was satisfied that it would not be very intelligible, if read to the Society, owing to the frequent references to the map and drawings. He therefore contented himself with a very few remarks, explanatory

of the views he entertained of this interesting subject.

In a former paper he described the general nature of these shelves; he has since ascertained, by several observations, that they are perfectly horizontal. One very remarkable circumstance attending them is, that in one or two instances, they can be traced in a perfect circle, around little isolated hills, on a level with the corresponding line on the sides of the valley.

In his former visit to Glen Roy, he traced the shelves in the valley only; on the late occasion, however, he discovered that they are also to be found in Glen Shean and Glen Gluoy. This last valley contains one range at an elevation of twelve feet higher than that of any of those in the other glens. The two shelves next in altitude are to be found in Glen Roy alone. The uppermost runs through both Lower and Upper Glen Roy, and loses itself in the flat mossy ground forming the summit level of the country, near the Loch of Spey. Besides these two shelves, which are the particular property of Glen Roy, there is another at a lower level, common to Glen Roy and Glen Shean. Its two extremities are to be traced, one on the mountain of Ben-y-vaan, near High-bridge, and the other on the side of Aonachmore, one of the Ben-Nevis groupes, nearly opposite. This shelf may be followed almost every where in its progress through both glens. It runs up the whole extent of Glen Shean, Loch Laggan, and the river Pattaig, as far as the Pass of Muckall, where it sweeps round on what is the summit-level of the country there, and returns back. It is also distinctly traced running into the valley of Loch Treig.

In the paper formerly read to the Society, Mr Lauder Dick stated it as his opinion, that such appearances

in general were to be attributed to the operation of the waters of a lake. His last inspection of those in Lochaber has not only confirmed his conviction of the truth of this theory, with respect to them; but has led him to imagine that he has discovered the boundaries, extent, and shape of the ancient lakes, as well as the cause which produced their evacuation. He conceives that he is warranted to conclude, from the observations he has made, that Glen Gluoy was at one time an independent lake, having its level twelve feet above the lake of Roy, when at its highest, into which it discharged a stream from its N.E. extremity. Glen Roy must have contained an independent lake in two different states, as indicated by its uppermost and second shelves. Whilst in the first state, its level must have been such, that it discharged its waters, and those tributary to it, from Loch Gluoy, in the direction of the Loch of Spey, and by it towards the Eastern sea. When this was the case, a barrier must have existed at the mouth of Glen Roy, separating its lake from one at that time occupying the whole valley of the Spean, at the level of the lowest shelf of all, and which has such a relation to the summit-level at the Pass of Muckkull, as to warrant the conclusion, that it must have sent its stream through it towards the Eastern sea, by the course of the river Spey. Two different ruptures took place in the barrier of division between Loch Roy and Spean. The first diminished the surface of Loch Roy so much, as to render it tributary to Loch Spean. The second breach reduced it to the level of Loch Spean, of which it now formed a portion. Whilst the lakes were in this state, Mr. Lauder Dick supposes that the whole ground at their south-western end was one undivided mass, and that the great Glen of Scotland had then no existence,

and consequently that what are now the mouths of Glen Gluoy and Glen Spean, were shut in by a terra firma, and that the united waters of the whole lakes formed a river running through the Pass of Muckkull, towards the eastern sea.

An examination of the Great-moors-Albin, or Great Glen of Scotland, stretching in a diagonal line across the island from Inverness to Fort William, has convinced me that it has owed its origin to some convulsion of nature, and that the opening of this vast chasm was the cause of the discharge of the water of the lakes, and of the change of the direction of the current of the rivers, which now run to the Western, instead of to the Eastern sea, as they seem to have done formerly. He conceives also, that the horizontal shelves of Lochaber, and this vast crack across the island, reflect a mutual light on each other, elucidating the history of both.

March 16th.—Professor Leslie read an account of his new instrument called the *Etherioscope*. For an account of which, we refer to the chapter on Improvement in Science.

At the same meeting, Dr Brewster communicated to the Society a paper on a new theory of double refraction.

April 6th.—Professor Playfair read part of a biographical account of the author of the *Naval Tactics*.

In this essay, which excited the greatest interest in the Society, Mr Playfair observed, that Mr Clerk belonged to a class of active and vigorous minds, who extend their thoughts and inventions beyond their regular and professional sphere. Mr Clerk, however, though not a warrior, was led by circumstances, at an early period of life, to take a voyage on board a ship of war, and was even present at the great fight near Gibraltar. His situation then, as a spectator, and not an actor, might be favourable to the ha-

bit of reflecting on the mode in which naval affairs were conducted. After coming home, he gradually matured his well-known system of naval tactics. Mr Playfair observed, that no plan was then known by which one fleet could bring another to action without great disadvantage. It was impossible that the whole could be brought into line opposite to the enemy, without some part being first exposed to an unequal combat, and considerable loss. All these disadvantages were obviated, and in case of superior valour, a complete victory secured, by the plan of bearing down upon the enemy's centre, and breaking his line. Admiral Rodney, well known as the first who put this grand manœuvre in practice, universally declared himself indebted for the knowledge of it to Mr Clerk. To other testimonies, Mr Playfair could add that of Lord Haddington, who saw this illustrious veteran at an advanced age, when he was unable to stir from his sofa. Even then he loudly professed his obligations to the Naval Tactics, and cried out, with characteristic enthusiasm,—“John Clerk for ever!” Lord Howe, when a copy of the work was sent to him, wrote, that he admired the ingenuity of the writer, but that he would follow the old system. In fact, however, before the 22d of June, he must have changed his opinion, for he followed the plan of the Naval Tactics, and thereby gained a complete triumph. It was by acting upon the same system, that Lords St Vincent, Duncan, and Nelson, gained that series of victories which rendered their names immortal. On short, this system might justly be considered as the main instrument which raised the naval glory of Britain to such an untrivalled height. Mr Playfair then objected, in terms of deep and eloquent regret, to the circumstance, that no tribute of national gratitude had been paid to merit so transcendent. What-

ever might be the cause, it could little affect Mr Clerk, to whom the proud consciousness of having conferred so signal a benefit on his native country, must have afforded higher satisfaction than could be derived from any adventitious distinction. It could not but be viewed in a different light, however, when considered as affecting the character of the nation and its rulers, for whom the bestowing of honours and rewards upon great public benefactors, must always be numbered as one of the most important and imperative duties.

#### ASIATIC SOCIETY.

August 6, 1817.—An interesting paper was read, written by Mr Ellis, communicating a curious instance of literary forgery, or rather religious imposition. In 1778 a book was printed at Paris, entitled *L'Ezour Vedam*, containing the exposition of the opinions of the Indian priests and philosophers, and said to be translated from the Sanscrit by a Bramin. It was said in the preface, that the work was originally among the papers of M. Barthelémy, a member of council at Pondicherry; that M. Moldave brought a copy of it from India, and presented it to Voltaire, who sent it, in 1761, to the library of the King of France. Voltaire had been informed that the chief priest of Cheringham, distinguished for his knowledge of the French language, and the services he had performed for the India Company, was the translator of the *Ezour Vedam*, and he appears to have believed it an authentic work. M. Anquetil du Perron was of the same opinion. M. Sonnerat, however, seems to have detected the error, and describes the *Ezour Vedam* as not genuine, but the composition of a missionary at Masulipa-

*tam, sous le manteau Brams.* Mr. Ellis has since ascertained that the original of this work still exists among the manuscripts in the possession of the Catholic missionaries at Pondicherry, which are understood to have belonged to the society of Jesuits. Besides the Ezour Vedam, there were also among these manuscripts imitations of the other three Vedas, each of them in Sanscrit, in the Roman character, and in French. Mr. Ellis enters into a philological investigation of the manuscripts, to shew that whether the author were a native or a European, the work must either have originated in the provinces of Bengal and Orissa, or have been composed by some one who had there learned the rudiments of the Sanscrit. He then gives a list of the manuscripts in the possession of the Catholic missionaries, and their contents. They are eight in number. One of them includes the divinity of Bramah, and asserts him to have been a man in all respects resembling other human beings. They are all intended to refute the doctrines, and shew the absurdity of the ceremonies, inculcated by the Bramins. The native Christians at Pondicherry are of opinion, that they were written by Robertus de Nobilibus, a near relation of his Holiness Marcellus the II. and the nephew of Cardinal Bellarmine, who founded the Madura mission, about the year 1620. This personage appears to be well known both to Hindoos and Christians, under the Sanscrit title of Tatwa bod'haswami; whose writings on polemical theology are said to resemble greatly the controversial parts of the Pseudo Vedas, discovered by Mr. Ellis. That learned gentleman thinks it not improbable, that the substance of them, as they now exist, is from his pen; and that they consisted originally, like his works in this kind, of detached treatises on various controversial points; and that some other hand has since arranged

them in their present form, imposed on them a false title, transcribed them into the Roman character, and translated them into French. It is said, however, that the manner, style, form, and substance, of the Pseudo Vedas do not bear the most distant resemblance to the writings whose titles they assume. Mr. Ellis gives an elaborate analysis of the real Vedas, and compares them particularly with the forgeries. The whole scope of the Pseudo Vedas is evidently the destruction of the existing belief of the Hindoos, without regarding consequences, or caring whether a blank be substituted for it or not. The writings of Ram Mohun seem to be precisely of the same tendency as the discussions of Robertus de Nobilibus. The mission of Madura appears to have been founded on the principle, of concealing from the natives the country of the missionaries, and imposing them on the people as belonging to the sacred tribe of the Bramins. Romaca Brahmana was the title they assumed; and this deception probably led to many more.

The paper of Mr. Ellis, of which we have given this imperfect report, displays a profound knowledge of Sanscrit literature, and will be read with peculiar interest by the oriental scholars.

The same intelligent writer has transmitted to the society, his able dissertation on the Malayalam language, which is spoken in the southern provinces of Travancore.

October 1817. An account of an antiquarian discovery, containing the remains of a colonial statue, recently discovered by the Europeans in the vicinity of Shapoor, in the modern province of Fero, (the ancient Persia,) was received from Lieutenant R. Taylor, of the Bombay establishment, and presented by the secretary to the Society.

In September, 1818, Mr. Williams

and Captain Maude, of his Majesty's ship *Favourite*, on visiting the site of the ancient city of Shapoor, accompanied by Meer Shamsodeen, a predatory chieftain, the cave, containing a prostrate colossal figure, was pointed out by the latter, who, from his plundering mode of life, had become well acquainted with the hidden recesses of the mountains. The cave is distant from Shapoor three miles, on the opposite side of the river. From the base of the mountain, near the summit of which the excavation is made, no traces of a cavern are discernible. The ascent is difficult, chiefly from its perpendicular height. When the travellers had nearly reached the top, they found themselves at the foot of an abrupt rampart, about thirty feet high, the depth of which, from its upper edge to the entrance of the cave, to which it forms a level landing, was sixty feet. The entrance to the cavern is a plain, roughly hewn arch, three feet high, and thirty-five feet wide, beyond which the height increases to forty feet, and the width to sixty and seventy. The figure, which is of stone, appears to have stood originally on a pedestal in the middle of this excavation, but was discovered lying on the ground, and the legs, below the knees, broken off. The costume appears to be similar to the sculptures at Shapoor, Nohsh, Koonum, and Persepolis, and with the same luxuriant flow of curled hair. Its arms rest upon the hips, and the girdle is a rot, fastened by a small button at the neck, and falling loosely over the elbow, and in this respect differs from the sculptures just mentioned. The length of the face, from the forehead to the chin, is two feet three inches, and the whole length of the body four feet and a half. According to the measurement, the whole figure must have been about fourteen feet high.

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From the statue, to the most retired parts of the cavern, the excavation increases in height and width. After passing down an inclined plane for about twenty feet, and up an ascent of about fifty feet more, the travellers reached a dry reservoir, seventeen feet by seven wide, and five feet deep. Farther on, they began to descend, by torch light, a long narrow passage in the rock, and reached another cavern, the roof of which was supported by a few huge shapeless pillars.

No conjecture is offered respecting the use or object of this extraordinary excavation.

On Wednesday, Feb. 11, 1818, was held, a meeting of this Society, at which the Lord Bishop presided.

Among other things a letter from M. Cuvier, secretary to the Academy of Sciences at Paris, was read, introducing, in the name of that Institution, M. Diard to the Asiatic Society. That gentleman is a corresponding member of the Royal Museum of Natural History. Several works, also, were received.

Dr Wallich favoured the Society with some samples of paper made of the bark of the paper-shrub, a species of *Daphne*, and probably the same that is described by Father Lauriero, in his *Flora of Cochin-China*. The paper manufactured from this substance is extremely cheap and durable. It is said to be particularly calculated for cartridges, being strong, tough, not liable to crack or break however much bent or folded, proof against being moth-eaten, and not in the least subject to dampness from any change in the weather. If kept in water for any considerable time, it will not rot; and is invariably used all over Kamaoon, and in great request in many parts of the plains, for the purpose of writing genealogical records, deeds, &c. The method of preparing the

paper is extremely simple. The external surface of the bark being scraped off, that which remains is boiled in clean water, with a small quantity of the ashes of the oak, which whitens the material. It is then washed, beat to a pulp, and, after being mixed up with the fairest water, is spread on moulds, of frames made of common bamboo mats.

Besides these, Dr Wallich presented to the Museum a specimen of the Bhojputtra of the natives, being the outer rind of a new species of birch. It is much used in the mountainous countries to the north for writing upon, particularly by the religious. On one of the pieces was a letter written by the Rawal, head-priest of Kidder-nath, a temple on one of the mountains of the Himulayah, and a great place of Hindoo pilgrimage.

For these specimens Dr Wallich was indebted to the liberality and kindness of the Hon. E. Gardner, resident at Katmandoo, who has already enriched the botanic garden with many valuable vegetable productions of Nepal.

Dr Wallich is superintendant of the botanic gardens. He also transmitted drawings of other plants.

A letter was read from a new institution, called the Société Polytechnique of the Island of Bourbon, desiring to establish a correspondence with the Asiatic Society.

A letter was read from Mr Thomson, late private secretary to the Marquis of Hastings, dated Calicut, Nov. 3d, 1817, transmitting to the Society drawings of the Cobra Manilla, and two sorts of sea snakes.

It is said, that the Cobra Manilla is known on the Malabar coast by the name of the *angle snake*: and this name is a translation of *Wala Caripan*, which, in the Malabar language, signifies the *deadly fang*, or bracelet. It has two fangs exactly like those of the Cobra

Capella, and its bite is reckoned equally dangerous. The length varies from six to twelve or fourteen inches; but the female, although rather larger, has less brilliant colours than the male.

Mr Thomson, during his residence in Bengal and the Upper Provinces, has tried without success to obtain the snake called Cobra Manilla. He observes, that the late General Gillespie received the bite of this serpent when he was plucking a peach; and, in two or three minutes afterwards, lost all sensation. The last thing he recollected was some persons calling out for *eau de lude*; which, applied very copiously, both internally and externally, he believed, saved his life, but he added, that his constitution was not fully restored in two or three years.

Mr Thomson, during his stay at Calicut, accidentally discovered a species of silk worm, which feeds on the leaves of the wild mango tree. Among the caterpillars he collected, for the purpose of obtaining butterflies, were some about the size of a man's little finger, with heads and tails of the colour of bright coral, and bodies covered with silvery hairs rising from a black skin. They soon left off feeding, and became restless, endeavouring to crawl up the sides of the glass shade under which they were placed. The motion of their heads from side to side was constant and regular; and Mr Thomson at length found, that they had constructed ladders of most imperceptible threads, and, when furnished with dry twigs, they began to form their pods. The quality of the silk is coarser than that of Bengal, which may proceed from the nature of their food, as mulberry trees are not found in the neighbourhood of Calicut.

Drawings of the male and female silk-worm accompanied this communication.

**MADRAS LITERARY SOCIETY.**

A General Meeting was held of all well-wishers of this laudable attempt for the promotion and establishment of literature and knowledge in this Presidency, which was most respectably attended.

The President reviewed the Meeting, that, when they had first assembled in that place, they had two objects in view,—the one was the establishment of a Public Library; the other, that of a Literary Society; and that, when they last met, their Committee satisfied them, by the calculations they had made, that the first, from the want of adequate funds, could not be realized at present, although they gave it as their opinion that the second might. The Meeting had therefore adopted the one which was practicable, and postponed the other, without losing sight of it altogether, to a future period, when the funds of the Society, with the aid of the Government, might enable them to carry it into effect.

The President then said, that considering they were now assembled simply as a Literary Society,—by which denomination he understood a Meeting to collect the detached labours of many in the different departments of literature, into a common fund,—he thought they ought, at their first meeting, to resolve to invite all persons, including learned natives, either at the Presidency or elsewhere, to favour them with communications on all subjects connected with literature, considering themselves as forming an Asiatic Society; and that at their meetings, the written essays and observations which might be presented by the Committee—whose appointment he meant afterwards to recommend—might be read publicly, and become the subject of conversation. It

was also proposed, that specimens of natural and artificial curiosities, and remains of antiquity, might be exhibited at their meetings; and such as were thought worthy to be kept, might be formed into a collection.

The President also expressed it to be his opinion, that although their funds were not then sufficient for the formation of a regular library, they might, out of the advance money and annual subscriptions, procure the best publications of the day; and that members might be invited to add to these, by presenting to the Society whatever books they could spare, as well as by depositing at the public rooms any part of their library which might not be in use, or which, on account of absence from the Presidency, or other cause, they might wish to leave in a safe place of custody.

The President observed, that this was the outline of the plan which had been suggested to him by the friends with whom he had communicated; and he thought, that for one so simple in its nature they had better have only the one rule proposed by Sir William Jones on a similar occasion, and that was to have no rule at all. When they came to establish a public library, that, like all other property, might require regulations to protect it; but he thought the affairs of such a Society as he conceived this to be, might safely be entrusted to their Committee, assisted by any restrictions. He would therefore leave it to the Committee to decide on their times of meeting, what papers should be read, what books should be ordered, what their expenditure should be managed, and, in short, let the whole affairs of the Society should be regulated.

These sentiments were universally approved of; and, after deliberation, the Meeting determined to execute what was practicable; but



also to keep in view what was desirable; for this purpose, among other resolutions, it was resolved,

That the gentlemen of the Society be invited to make donations of books, and also to deposit works at the Society's rooms for the use of the members, the Society becoming responsible that they be restored to the owners, whenever required, in the state in which they were sent.

Various other preliminary business was transacted, necessarily previous to more active operations. Officers were chosen, *pro tempore*, &c. &c.

#### SOCIETY FOR THE ENCOURAGEMENT OF ARTS, MANUFACTURES, AND COMMERCE.

THE London Society for the Encouragement of Arts, Manufactures, and Commerce, has published a volume of papers communicated to the Society, classed under the heads of Agriculture, Chemistry, Polite Arts, Manufactures, and Mechanics.

In the important department of Agriculture, we have an interesting account of the plantation of 212 acres with 985,300 forest trees, by J. Lawson, Esq. of Old Mill, near Elgin, for which the Society's gold medal was awarded to him. The silver Isis medals were presented to the Earl of Jersey, and Henry Grant, Esq., for embanking three hundred acres of marsh land from the sea. By this improvement, the land, which was formerly not worth more than 5s. per acre, is rendered worth 40 or 50s. without any further expence being incurred by the landlord.

To Mrs D'Oyley, of Red Car, near Edinburgh, the silver medal was given for the culture of bull-rushes, which, from our readers need to be informed, have been consumed in vast quantities

by the chair-makers. This lady's method of cultivating the bull-rushes was merely to divide and plant the roots which the farmers were obliged to throw out from the river Tisike, on account of their obstructing the current; but on a large scale, she recommends that they should be raised from seed, which may be easily procured at the end of the year when it is fully ripe. It should be sown in the spring, in a low situation, after the floods have subsided, in a tender light soil, where it should remain a year or two. Mrs D., however, does not recollect to have seen any above a foot and a half high, that were not growing at least that depth in water. Whenever rushes were planted, the workmen throw a sluice across the ponds, and forced the roots into the mud, with a three-pronged fork, in rows ten inches asunder. Where, however, the water is not too deep, it is a more ready and safe way for the man to press them down with his foot. When properly cultivated, the rushes grow as rank as corn, and probably average the same quantity per acre, shooting three or four times as high. Trifling as the subject of this domestication may seem, it is one of very considerable importance in a commercial point of view. The chair-makers, cooper, and others, who use immense quantities of bull-rushes, are chiefly dependent upon Holland for their supplies, which, during war, are scanty, irregular, and dear. Mrs D. has conferred a valuable service upon the country, in thus pointing out a method by which to convert ponds that are occasionally overflowed, into use and profit.

The class of Chemistry offers only three papers; but they are all of very considerable importance.

The first is a collection of receipts for making enamel colours, and for staining glass, for which the Society voted twenty guineas to Mr R. Wyan.

Explicit instructions are given for preparing and applying the colours, for which we must refer to the volume itself. The resources of modern chemistry may probably simplify and improve some of the receipts; but, as a register of actual practice, in a branch of art for the most part involved in secrecy and empiricism, it possesses eternal value.

Mr Callender's method of seasoning mahogany, for which the society rewarded him, is both simple and efficacious. The following is his process: Having provided a steam-tight wooden box, capable of holding conveniently such pieces of mahogany as are fit for chairs, &c. he adapts to it a pipe from a boiler, by means of which he fills the box (after the mahogany has been put into it) with steam, the temperature of which is about equal to that of boiling water. The time required for wood, an inch and a half thick, is about two hours; and pieces of this thickness are stated to become sufficiently dry to work after being placed in a warm room or work-shop for twenty-four hours. By this treatment, the wood is something improved in its general colour; and those blemishes, which are technically called green veins, are entirely removed. The eggs or larvae, also, of any insects, which may be contained in the wood, will be destroyed by the heat of the steam.—Two very important advantages are said to result from Mr Callender's process. In the first place, a considerable part of the mahogany which is wasted in wood lying to season during many months, may be saved. And secondly, as none of the small wood, from two to six inches thick is ever seasoned, according to the usual course of trade, chairs, ballustrades, and similar articles, which are usually made of such wood, must necessarily be very subject to warp, which, incon-

venience is prevented by adopting the expeditious mode of seasoning above described.

The next article is on a new steam safety-lamp, founded on the fact, that the mixture of steam with the carburetted hydrogen of coal mines prevents the gas from exploding. For this very important contrivance the public, it appears, are indebted to Dr Clanny, of Bishop-Wearmouth, whose meritorious efforts in the construction of safety-lamps, have in former years attracted the favourable notice of the society of arts. The structure of this lamp, for which the Society awarded Dr C. their gold medal, it is impossible to describe or to understand without the aid of the engraving which accompanies it. We may, however, remark, from the various trials which have been made with Dr C.'s contrivance, that it has been found an admirable preventive of explosion in mines.

These lamps may be constructed of any size, from eight inches in height to more than three feet. When much light is required, the lamps must be made large. The steam is consequently extricated in them, and in considerable quantity, which not only keeps the whole apparatus cool, but is likewise an excellent medium for causing the fire-lamp to burn silently, and without explosion at the wick of the oil lamp. The strength of light afforded by these lamps is stated to be so great, that it may be thrown to a considerable distance by a mirror or mirrors in those parts of a mine where there may be such a scarcity of oxygen, that no light can be supported, and where the pit-men have hitherto been obliged to carry on their work in darkness, as is frequently the case in coal-mines. It is further added, that these lamps have given a clear light for sixteen hours, without trimming or a second supply of oil.

Mr Warren's piano-monitor for correcting the errors and assisting the weak wrists of young students on the piano—Mr Dick's instrument for drawing in perspective—Mr Warcup's invention for drawing curve lines, which he terms a curvagraph—and Mr Hall's angulometer—are very useful instruments connected with the fine arts.

The class of manufactures presents two papers:—one from Dr Saddington, on a machine for covering wire in long shops or sheds; and one from Mr Onwin, on a banding plane for cutting ornamental lines of brass and ebony, and also grooves to receive them in cabinet furniture. These papers are illustrated by engravings, without which the nature of the inventions described is unintelligible. Mr S. was rewarded with fifteen guineas; and Mr O. with the silver Isis medal.

In mechanics, Mr Wyon, of Farnham, has invented a time-keeper and compensation pendulum, for which a gold medal and twenty guineas were voted to him. Besides reducing friction, Mr W.'s instrument displays much novelty and real improvement in the construction of the pendulum. Much time and unnecessary labour are saved by Mr James Jones's self-adjusting crane, for which he was also rewarded with a gold medal.—It is impossible to convey any idea of both these useful contrivances, without referring to the plates by which the descriptions are accompanied. The same remark is applicable to Mr Barchard's cylindrical traversing rake, for the purpose of stirring tobacco, malt, coals, hops, &c. when drying in the kiln. To tobacco-manufacturers, this contrivance (for which the inventor received the society's silver medal,) is peculiarly valuable; as the fumes arising from it are so powerful as to render it scarcely possible for a man to go into the kiln until he has thorough-

ly ventilated it, by opening up the windows &c.

Mr Farnham's steam-trap, Mr Cailon's gas lamp, Mr Tesson's ventilator for ships' cabins, and Mr Joseph Farey's very ingenious and effectual improvements on the common ball-cock, have each their peculiar merits, and as such have been proportionably distinguished. Nor should Capt Bagnold's contrivance for rendering a rudder serviceable after sustaining material injury be passed over. It is honourable to his ingenuity, as well as to his presence of mind; for he had recourse to it when his ship was in most imminent danger of entirely losing her rudder.

Mr Auzan's machine for freeing the shaft horse of a laden cart when fallen, will, from its cheapness and simplicity, contribute to obviate the serious inconveniences of those frequent and distressing accidents which daily occur in the crowded streets of the metropolis. It consists of the simple addition to the common props of the cart of an iron bar and hook about half their length, attached to the top of each prop, and a bent iron prong at the bottom to prevent their slipping: the props are strengthened with an iron ferrule at each end. When a horse falls, the props are taken from their usual fastenings, with the hooks attached to the shaft ends; the fore-horse chains are then hooked in at the top of the props, and as they stick in the ground when he pulls, he raises them perpendicular, and they pull the shaft up after them; the horse's power on the props increases as they become more upright, which is essential, as it gives the best help to the fallen horse when he is about to rise.

The Society has conferred repeated and liberal rewards on life-boats and other means of saving shipwrecked mariners; on machines for superseding the present barbarous practice of cleansing

chimneys by means of climbing-boys; and on methods by which shoe-makers and other artisans may be enabled to perform their work standing, and may thus avoid the organic diseases attendant on a constrained, sitting posture. Captain Bray's life-boat, Mr Wilson's chimney-sweeping machine, and Mr Coad's very ingenious and simple contrivance to enable shoe-makers to work standing, have been liberally rewarded.

Mr Loxes's machine for cleaning corn is confidently recommended by the society, as a very important appendage to the thrashing-mill. The grain is step by step separated from the fragments of straw, from the chaff, from the seeds of the weeds, and from the lighter grain; and, by friction and ventilation, comes out, not only thoroughly cleansed from all impurities, but also materially improved in dryness and external aspect. At the same time, the chaff is freed from the dust, with which it is usually freed in large proportion, and thus is rendered a more agreeable and nutritious food for horses, and other domestic animals. This most valuable invention was justly honoured with the society's gold medal.

Mr Conolly's telegraph system has received the attention and reward to which, from its facility and expedition, it seems fairly entitled: and Dr Davis's craniotomy forceps have been rewarded.

The thanks of the Society were voted to Sir John Sinclair, Bart., for the description of a portable mill for grinding flour. These mills were used by the French armies in foreign service, and particularly in the Russian campaign, in which, from the length and rapidity of the march, it was manifest that as great a reduction as possible of the heavy baggage would be necessary.

The whole apparatus is contained in a box fourteen inches square and eight inches high.

# REPORT OF THE AFRICAN SOCIETY.

*Delivered April 9, 1818.*

The Directors begin their Report of the proceedings of the last year, by laying before the general meeting a brief view of what has occurred in relation to the foreign slave trade. The first article is upon the necessity of the right of search in time of peace, by which it appears that the Danes, and the King of the Netherlands, have acknowledged this right.

In reviewing the state of the French slave trade, it appears, that the benevolent views of the king have not been properly acted upon by individuals, and that a very culpable degree of supineness has been shewn by that government, in executing the conditions of the treaty solemnly subscribed to. The Portuguese and Spaniards also appear to have been extremely active in this horrid traffic, though the sincerity of the latter in its intended abolition, is argued from their having admitted the right of search.

In America, it appears that the condition of the free blacks and people of colour in the United States, amounting to 200,000, has lately excited the interest and sympathy of many leading persons in that country; and an extensive society has been formed, of which the nephew of the venerable Washington, now Chief Judge of the Federal Court, is the president. In the Isle of France and Ceylon, the same encouraging prospect is held out.

The evil effects of the revival of the slave trade are thus noticed:—

The preceding part of the Report will have prepared the meeting to expect very discouraging accounts of the state of the slave trade on the coast of Africa. The report of persons on the spot is, that it has been carried on du-

ring the last year to a greater extent, and under circumstances of greater humanity, than ever. The Spanish flag had, it is true, been the only one which could lawfully be engaged in the slave trade north of the Line; but its protection was easily procurable, and the French, Americans, and Portuguese, availed themselves largely of it, although, as has been already shewn, where the French had the protection of their own settlements, they preferred using their own flag—one proof, among many others, that the French abolition was regarded by those persons as a measure which they did not expect the government of their country to enforce.

The late treaty with Spain will now, it is hoped, to a certain degree, stop the desolation of Northern Africa. No flag can now lawfully be employed in the slave trade on the coast north of the Line; and the right of search, which has been obtained, may therefore be expected to produce on that coast, especially if France and America concur in it, the beneficial effect of greatly abridging, if not in time extirpating, this traffic. Many years, however, must elapse before the evils produced by the revival of the slave trade on the Windward coast, which has followed the peace of Paris, can be effectually repaired.

The native chiefs and traders, who had begun to be convinced that the abolition was likely to be permanently maintained, and that it was therefore absolutely necessary to engage heartily in schemes of cultivation, if they would preserve their influence, have learnt, from more recent events, to distrust all such appearances.

Notwithstanding all that had been said and done; notwithstanding the slave trade, for seven or eight years, had either been chased from their shores (from the river Senegal and Sierra Leone) or had been completely ban-

nished,) or forced to skulk in corners, they now see the slave traders again sweeping the whole range of coast without molestation—sly, with an air of triumph and defiance. It will be long, therefore, before they are likely again to yield to their former conviction respecting the purposes of the European powers. Even if effectual means should now be pursued for abolishing the slave trade, years must probably elapse before they will be induced to forego the expectation of its revival.

It would be difficult fully to appreciate the deep and lasting injury inflicted on Northern Africa, by the transactions of the last three years. This injury, too, will be greater, as in the interior of that country they could not be expected to discriminate, with any accuracy, between the different nations of Europe. They only knew in general, that the white men, who had ceased to trade in slaves, and who they understood would trade no more in that commodity, except as smugglers, liable to be seized and punished, have resumed the open, avowed, and uncontrolled practice of that traffic.

This affecting state of things, it need hardly be observed, has discouraged, and in many instances completely crushed, the efforts to extend agriculture and legitimate commerce, which had been produced in this quarter of the globe by the cessation of the slave trade.

Nor is it merely in the way of natural effect that this result has arisen. The slave trade of the present day has acquired a new character of ferocity. The slave ships come on the coast armed, not merely for the ordinary purpose of their murderous traffic, but in order to resist search; and many bloody scenes have, in consequence of this determination, been acted of late in Africa. They appear also to lose no opportunity of attacking and destroying the legitimate commerce of

the Windward coast, and particularly that of Sierra Leone, which enjoys the proud pre-eminence of being the object of their bitter hatred and implacable hostility.

The trade of this colony, therefore, with the surrounding districts, which had tended, more than any other circumstance, to give a steady impulse to the industry of the neighbouring natives, has been subjected to much outrage and spoliation, attended, in some instances, with great barbarity of treatment, and even with the loss of many lives.

A statement relative to the outrages committed on the innocent traffic of Africa, by ships engaged in the slave-trade, drawn up from authentic documents, is given in the Appendix.

The Report proceeds to speak of the

#### *Progress of Improvement at Sierra Leone.*

In the midst, however, of this general gloom and devastation, the Directors turn, with increasing satisfaction, to one spot on this line of coast.

The accounts received from time to time of the progress of improvement at Sierra Leone, continue to be highly favourable. Letters, dated on the 26th of January last, state, that every thing in the colony, and in the country around it, was at that time going on well; that the progress of the schools was rapid, and the improvement in the manners and respectability of the settlers, conspicuous; that the captured negroes were also proceeding prosperously; that trade was brisk at the colony, and that there was no war in the country around it.

On the 31st of March, 1817, the

total number of scholars, male and female, educated in the different schools at Sierra Leone, amounted to 1422,\* being an increase of 185 in the preceding six months. The schools were remarkably well attended by the pupils generally, who appeared eager to reap the benefits of the instruction afforded them; and their improvement is attested to have been considerable.

In the Appendix are given, extracts from the Sierra Leone Gazette of January 3d, 10th, and 17th, containing reports of the examinations of the schools at Free-town, Regent's-town, and the Christian Institution, with the general return of free schools.

Of the whole population of the colony, a very large proportion consists of liberated captives, distributed in various villages, pursuing the occupations of peaceful industry on farms of their own, gradually laying aside their native superstitions, and eager to avail themselves of all the means of instruction within their reach.

#### *Retrospect.*

In looking back to the arduous struggle which has been so long maintained on the behalf of our fellow-creatures in Africa and the West Indies, the Directors cannot but acknowledge that some things have occurred of a very painful description. They have, in many instances, been compelled to witness the disappointment of their hopes; and there have been times when, after all the steps which had hitherto been taken, the object seemed to be almost as remote as ever. But of the cause itself, they have never suffered themselves to despair; and they can now, with unfeigned satisfaction, speak of it as having made a visible

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\* By a letter received from the governor of Sierra Leone, dated 6th March last, it appears that the grand total of men, women, boys, and girls, then attending schools on the Peninsula of Sierra Leone, did not fall short of 2000.

and important progress. It was not till after many years of discussion, that the enormities of the slave trade were fully acknowledged, even in this country, and the abolition laws passed. In the course of eleven years since that time, the iniquity of the traffic has been solemnly declared by all the great powers of Europe; some of them have entered into treaties for its effectual suppression; a large part of the African coast has at length been rescued from its ravages; and, of the two states which still suffer the trade to be openly carried on, one has pledged itself, within the limited period of two years, to a complete abolition.

On a view of the whole subject, the Directors cannot but indulge a hope, that a great progress has been made toward the entire extermination of this unchristian traffic; and when, with this hope, they connect the spectacle of improvement exhibited at Sierra Leone, and which they trust will be gradually progressive, it is impossible not to indulge in the most pleasing anticipation with respect to Africa and her injured race. But it will still be necessary for the friends of justice and humanity, and especially for this Institution, to be unceasingly vigilant and active. Much yet remains to be accomplished; and it is earnestly hoped, that the importance of carrying on and completing this great work, will be felt by every man who knows the interest which it involves, and the crimes and cruelties which it is intended to extirpate.

#### *State of the Funds.*

With these feelings, the Directors are deeply concerned to state, that the funds of this Institution are very far from being equal to the magnitude of their objects. If the Society cannot increase its resources, instances of that violation of law and justice, which seems to be inseparably interwoven

with the African slave trade, must in many cases be suffered to pass with impunity. The evil will, to this extent, be perpetuated and confirmed. And who can tell how far the attainment of our great object itself may not be eventually retarded by want of energy at the present moment, while the voice of Europe is inviting us to proceed, and Providence seems to smile upon the undertaking?

The donations and subscriptions of the year have amounted to 894*l.*, while the expenditure has been 1044*l.* 3*s.* 6*d.*

#### HIBERNIAN SOCIETY IN LONDON FOR ESTABLISHING SCHOOLS AND CIRCULATING THE HOLY SCRIPTURES IN IRELAND.

##### *Twelfth Annual Report.*

The Committee have the pleasure to observe, that the aspect of the Society's concerns in Ireland continues to be encouraging and gratifying.

In the last Report, the Committee had to remark upon the deficiency of pecuniary means to defray the necessary expenses of the Institution. It therefore became their duty, by all the means in their power, to interest the public in behalf of an institution which had done so much to merit attention and support, and whose important and active course was impeded by the want of pecuniary supplies. This duty they have endeavoured to fulfil, and they have reason to be thankful, that personal exertion by ministers, and other individuals of talents and influence, has been followed by public liberality, and that the Society has thereby derived considerable advantage.

But the attention of the Committee has not only been given to the supply of past deficiencies, to the support of an ascertained amount of expenditure.

and to the increase of subscriptions from British generosity. It has had respect to Ireland; to the system on which the Society's schools were founded; to the variations which have since occurred as to many of these establishments; and to the circumstances under which numerous applications are now made for the formation of additional schools in several counties in that part of the kingdom.

At the commencement of the Society's operations, it established and supported every school at its sole and exclusive expence; and the circumstances which made it necessary to do this still exist in numerous instances; so that, at the present time, many of the schools remain wholly supported by the Society. The excellence and usefulness of the schools, however, soon became so evident, that applications were made for an increase of them, and an opportunity was thus afforded the Committee, of soliciting and obtaining from respectable and benevolent individuals, the subscription of an annual sum, in aid of the Society's payments for the support of such schools. There is so much propriety and expediency in a measure of this kind, that the Committee have endeavoured to encourage and extend its operation; and the instruction and the conduct of the schools have so generally commended themselves, that not only have patrons come forward to advance an annual sum in aid of schools established on their solicitations; but parents also, in many instances, have subscribed one half-penny per week to the masters for each child instructed at the expence of the Hibernian Society. It must be observed, however, in explanation of this statement, that there are in fact, no subscriptions to masters' or schools exclusively; all are in aid of the Society, and are strictly accounted for by the masters to the inspectors, at the settlement which is made at the end of every quarter. The effect of this sys-

tem on the funds of the Society may be seen in the following instance. During the last quarter, 53 new schools have been opened: but the amount which will be received as an annual subscription of three guineas for a school, and as contributions from the parents of the children, in every case in which such subscriptions and contributions could be obtained, will make the charge of these 53 schools to the Society, only equal to 31, if the whole expences had been defrayed by this institution.

A union of sound principle, of appropriate liberality, and of prospective benefit, appears to the Committee to be included in these measures; and they have the pleasure to report the following gratifying results:

In the last year		In the present year	
there were,		there are,	
Schools.	Scholars.	Schools.	Scholars.
347.	27,776.	392.	32,616.
Increase since the last year		45.	4,740.

The aspect and exertions of benevolence continue also to be directed towards adults, as well as children. There are now about 1250 adults, who are taught to read the Holy Scriptures by the agency of this Society.

The other branch of the Society's concerns, "the Circulation of the Holy Scriptures," has partaken of a collateral and very considerable increase. The British and Foreign Bible Society, with its accustomed liberality, has granted to the Hibernian Society, 1000 English Bibles, 2000 English, and 500 Irish Testaments; and also 200 Irish Bibles for sale or gratuitous distribution: previously to which, there were distributed, in the course of the last year, 1610 Bibles, and 6457 Testaments! When it is considered, that the Hibernian Society has diffused these treasures of divine and saving knowledge, among thirty-two thousand poor and destitute children, and among



One thousand two hundred and fifty dark and ignorant adults; and in a part of the kingdom in which the most unwearied efforts are made to exclude the pure light of heavenly truth, and to perpetuate the darkness and errors of superstition, it may be reasonably and confidently expected, that, by the blessing of God, the most important, extensive, and permanent consequences, will result from this branch of the concerns and operations of the Hibernian Society.

This last observation naturally connects itself with the encouragement which the Society gives to the practice of reading the Scriptures, among those who perhaps never before knew that God hath spoken by prophets, by apostles, and by his dear Son; that this word is in their own language, and that it is able to make them wise unto salvation. A correspondent observes, "Parties for reading the Scriptures multiply: in the vicinity of many of our schools there are meetings for adults; many of them cannot read, yet they attend on those who can with the most earnest attention."

With great pleasure and gratitude the Committee report the assistance which, in the course of the last year, has been rendered to the Society by the kind and zealous exertions of ministers, the liberality of individuals, and the co-operation of Auxiliary Institutions.

They feel themselves particularly indebted to the Rev. Dr Chalmers, by whose zealous and successful exertions on behalf of the Society in Edinburgh and Glasgow, as well as in London, its debt has been considerably reduced, and its funds materially benefited. They have also pleasure in acknowledging the kindness of their friends in Scotland, (particularly in Glasgow and Edinburgh) by whose continued and increased contributions they have been so effectually aided.

In addition to the Auxiliary Socie-

ties formed at Reading and Henley, immediately after the last annual meeting, the committee are happy to announce the establishment of one at Ipswich, for the County of Suffolk, and another at Liverpool, from which they expect to derive considerable accession to their funds.

It will appear by the statement of the accounts of the Society, that the debt to the treasurer is not so large as it was at the time of last annual meeting. The Committee are therefore somewhat relieved from the anxiety and embarrassment which they felt; and they beg to express their cordial thanks to those auxiliary institutions, and benevolent individuals, by whose liberality and zeal, an amelioration of the funds of the Society has been effected. To the stated subscribers, whose pious benevolence has consolidated the interests, and supported the continued exertions of the Society, the Committee earnestly recommend an attentive consideration of the successful and happy results of their well applied generosity. It is presumed, that such a review will be connected with great personal gratification, with fervent gratitude to God; and with renewed endeavours to increase the stated and collateral supports of an institution which has been so highly honoured and so eminently blessed.

#### PHILADELPHIA SOCIETY FOR THE PROMOTION OF INDUSTRY, ECONOMY, AND GOOD MORALS.

"The objects of this Society are sufficiently explained by its title; we shall not, therefore, insert its regulations at large, but merely give a general view of the plan on which it is formed.

Eight standing committees are annually elected, whose duties are defined in the seventh article of the constitution, with a distinctness that precludes

any interference, and enables each to act with energy and decision. The names of the committees are, 1. A Committee of Accounts, to consist of three members; 2. A Committee of Election, to consist of one member from each ward of the city, and from each of the adjoining districts and townships; 3. A Library Committee, to consist of five members, for the purchase of books on the various branches of public economy, &c.; 4. A Committee of the Poor Laws, to consist of twelve members, for examining the present system, suggesting alterations and improvements, &c.; 5. A Committee on Public Prisons, to consist of twelve members, for reporting improvements in the employment and maintenance of convicts, the management of prisons, &c.; 6. A Committee on Domestic Economy, to consist of twelve members, to report improvements in the saving of fuel, diet, and clothing, &c.; 7. A Committee on the Suppression of Vice and Immorality, to consist of twelve members, for examining the existing laws, and reporting such improvements therein as may be calculated to suppress tippling houses, and useless taverns, preserve the Sabbath from violation, and promote sobriety, virtue, and industry; 8. A Committee on Public Schools, to consist of twelve members, for ascertaining whether the laws establishing public schools are properly administered, and to report improvements in the mode of educating the poor.

last, having appointed a committee, consisting of fifty-eight persons, (with power to add to their number,) and subscribed the sum of 25 *l*.—the gentlemen nominated met the next day at the King's Head Tavern in the Poultry, for the purpose of arranging a plan for carrying into immediate effect the intention of the meeting, which was—to clear the metropolis of the destitute and diseased persons in the garb of seamen, who appeared in the streets and environs.

As these persons were known to be numerous, the Committee were desirous of engaging premises for temporary offices, in some convenient place; but, on the very first day of their meeting, so great was the throng, and so urgent the distress of the poor people, that every other consideration gave way to that of affording them relief in the shortest possible time; and therefore, as Mr Bleaden liberally consented to allow the Committee to occupy the requisite number of rooms, on very moderate terms, (although he was exposed to serious inconvenience by the number of miserable objects who, for several days, rendered his house almost inaccessible) the committee have continued to transact their business at his tavern.

Many gentlemen having offered themselves as members of the Committee, (which has at length increased to the number of seventy) it was judged expedient to divide and apportion the duties to be performed, among them; and accordingly the following sub-committees were immediately formed:

1st.—A Depot Committee, to whom was charged the care of providing temporary lodging and food for the men.  
2d.—An Examining Committee; (consisting principally of Captains and Officers at his Majesty's Navy; Commanders in the East India Company's Service; Elder Brethren of the Trini-

ASSOCIATION FOR THE RELIEF OF  
DISTRESSED SEAMEN, IN THE CITY  
OF LONDON.

February 6, 1818.

The meeting held at the City of  
London Tavern on the 6th of January

y House, and Masters of Merchant Ships,) to whom was entrusted the selection of such of the poor people as were really seamen in distress.

3d.—A Finance Committee; to receive subscriptions, audit accounts, and make payments.

4th.—A Shipping Committee; (consisting chiefly of nautical men) who undertook to attend to the embarking and making arrangements for the men on board the receiving ships; for which ships application was made to the Lords of the Admiralty.

5th.—A Clothing and Provision Committee.

6th.—A Committee of Disposal.

By this arrangement, the inconvenience caused by the press of gentlemen offering their assistance and advice, was as much as possible obviated; and those duties were assigned to them respectively, which, from circumstances, they were most competent or willing to perform.

In a few days it was found practicable to consolidate these sub-committees into three, viz.:

Examining, Shipping, and Finance; By whom, under the direction of the general Committee, the operations of the charity has since been conducted.

Such was the forlorn and destitute condition of the poor people who sucked for relief, that the Committee deemed it a most fortunate circumstance, that, on the first day of their meeting, they were able to engage room in a house belonging to Mrs. Hayes, of Newington, in which 200 could be received, and sheltered from the weather.

The London Workhouse also admitted 100 of the men.

In both these places, their immediate wants were attended to.

While these measures were in progress, application was made to the Lords of the Admiralty for receiving

vessels, to be moored in convenient stations on the river; who granted the request without the delay of an hour.

It had been a very general belief, that a great proportion of the persons appearing in the streets as distressed seamen, were not really so, but had assumed that garb, the better to excite compassion; but, either the idea was without foundation, or the impostors were deterred from making their appearance, by the rigid scrutiny of the Examining Committee, the fact being, that very few men have presented themselves, who have not served at sea; and the far greater part of them on board ships of war.

The examination of the men has been very strict, and conducted by certain rules; whereby the committee have been enabled to obtain a registry of the age; place of birth; height; date of service, and on board of what ships; date of discharge; and qualifications of each man. By a reference to this registry, any one of the men may be identified upon any future occasion.

As the applicants, in the course of the first few days, exceeded by some hundreds the number for whom it was possible to provide lodging, without incurring considerable hazard, not only to themselves, but also to the public health, (a very large proportion being sick or diseased), it was deemed advisable to admit into the general depot such only as were free from infectious disorders, giving those for whom such accommodation could not (from those considerations) be immediately made, or for whom admittance into the hospitals could not be obtained, a daily supply of bread and money, until fit places could be procured for their reception.

In as short a time as it was possible to get the Druggery prepared for their accommodation, the sick men were lodged on board her, under the care

of Dr Robertson, and the necessary assistants.

Such is a brief outline of the proceedings of the Committee.—They purposely abstain from entering into the minor details of the measures adopted by them to guard against the application of the funds to the relief of other objects than those for whom the subscription was entered into :—or the influx of distressed seamen from other parts of the kingdom. They have also been cautious not to increase the existing evil (which appears in a great measure to have been the consequence of a temporary superabundance of seamen) by the adoption of measures for obtaining immediate engagements for these poor men in vessels outward-bound to the exclusion of other seamen, who might thereby have been exposed to difficulty in obtaining employment.

The general result of the proceedings, which the public benevolence has thus enabled the committee to adopt, are as follows : 1230 men have been received on board of the seven vessels granted by the Admiralty for that purpose, and supplied with necessary clothing.—Of these,

849 have been disposed of in the navy, in the merchants' service, or otherwise provided for ; and many others are expected to be provided with ships in a few days.

162 are on board the Dromedary, appropriated exclusively to the sick ; of whom 61 are *serious cases*.

3 have been sent on shore for misconduct.

5 have died.

711 remain on board the receiving ships (besides the 162 sick.)

1280

The number remaining may be thus classed, namely—

Fit for service,	351
Healthy men, but unfit for the merchant service,	180
Infirm, and on that account unfit,	66
Foreigners, of whom 30 are fit for employ, the rest unfit	47
Foreigners desirous of being sent home,	12
Black men, of whom 20 are fit for employ, the rest unfit,	47
Men wanting to be sent to their parishes,	8

711

The Committee have great satisfaction in stating, that it appears from the report of the Examining Committee, who daily visit the receiving ships, that the men are in general *clean* ;—as comfortable as circumstances will admit ;—and, with very few exceptions, *grateful*.

The expense of victualling each man is about 5*d.* per day.

A liberal issue has been made of soap, razors, combs, brushes, &c. ; and, besides an additional quantity of clothing, each man has a blanket given to him on joining a ship.

The establishment of officers on board each ship, consists of a commander, mate, and clerk ; and the warrant officers of the ship remain on board to assist in preserving discipline.

The average expence of this establishment, including table-money to officers, is 17*s.* 10*d.* per day for each ship.

The expense of the medical department is about 1*l.* 12*s.* per day.

The Committee cannot make this report without acknowledging the prompt attention which has been paid to the several applications which the Committee have had occasion to make to the Lords of the Admiralty, for vessels, stores, and medicines ; to which

attention they feel that the success of their exertions in speedily relieving the distress of the unfortunate objects of their care, is very materially to be attributed. The committee have also received 300 suits of clothing, from the Secretary of State for the Home Department.

### *Employment.*

A certain number of gentlemen have undertaken to superintend the employment of the seamen, and the Admiralty has given directions to the navy board to supply a quantity of junk, to be made into points, gaskets, &c.

The solicitude to be useful, (which has been strikingly manifested by the attention of the nautical members of the committee) has been confined to no particular class or sect. And the Committee have not been unmindful of the moral improvement of the men—the Rev. James Rudge, A. M. and Mr Maule, have repeatedly performed divine service on board the several receiving ships—Bibles have been distributed—and the general conduct of the men during divine service has been most exemplary.—Dr Blake, R. N. and Dr Rankin, of the Hon. E. I. CoS. have gratuitously contributed their medical aid.

The Committee, considering that the objects for which they have been appointed will have been effected by the 14th of this month, have given notice, that after that day, no application for relief will be attended to, except from such seamen as shall be actually diseased or disabled from labour by age, bodily defect, or infirmity.

The Committee consider it of importance that the public should be informed of their having prolonged the period of their examinations to the above date, in order to afford an opportunity to every proper object within the metropolis, of becoming an ap-

plicant for the benefits of the charity; (of whom very few have lately presented themselves;) and that therefore such as continue to infest the streets of Westminster, and places at a distance, from the immediate operations of the Committee, may, generally speaking, if not always, be deemed impostors.

The Committee desire in conclusion, to express a hope, that the means adopted by them, (due allowance being made for the little time allowed for deliberation,) are such as the public will approve. They can assure the subscribers that never was charity bestowed upon objects of greater interest, or by whom it was more wanted, or more gratefully acknowledged; and, for themselves, the Committee can with truth add, never was their time employed more to the gratification of the best feelings of their nature.

The Committee of Finance report, that the total amount of subscriptions received by the treasurer is 14,938*l.* 14*s.* 10*d.*

The monthly expenditure of the establishment is about 1000*l.* exclusive of clothes, bedding, and ship chandlery. As soon after the 14th current as the Committee shall be able to ascertain the number of individuals composing the various classes described by their arrangement, they will report, for the information of subscribers, the measures proposed for the ultimate disposal of the whole remaining on board.

J. E. GOSPOD, Hon. Sec.

EDINBURGH INSTITUTION, FOR THE  
EDUCATION OF DEAF AND DUMB  
CHILDREN. ESTABLISHED JUNE  
25th, 1810.

In laying before the Public a general view of the progress of this Institution during the past year, the Com-

mittee feel themselves authorised to declare their conviction, that it is the most important year in its history.

It was the anxious desire of its founders, to impart to it the character of a *National Establishment*. Accordingly, at the first meeting, 28th May 1810, it was resolved that application should be made to Members of Parliament connected with Scotland, to the Counties and Corporate Bodies, and to the Clergy, for their aid and exertions on behalf of this Institution, "which is for the general benefit of Scotland, and it is therefore expected will meet the support of the country at large."

These liberal and enlightened views of its founders were not speedily realized. For some years, the support it received was confined, almost exclusively, to the capital. Indeed, its claim to a national character was permitted even to operate to its prejudice. It will be remembered, that in the distribution of the large funds collected in 1815 by the Musical Festival, the Institution for the Deaf and Dumb was excluded, expressly on the ground that it was not one of the charitable Establishments of Edinburgh, for which alone their funds were destined, but a National Establishment.

At length it occurred to the Committee, that public support was withheld from the Institution, only because the blessings it was calculated to confer were imperfectly understood. This impression was brought to the test of experiment. In 1814, Mr Kinniburgh went to Glasgow with a few of his pupils, who underwent two examinations in public, in presence of crowded meetings of the inhabitants. The success of this experiment is fresh in the recollection of the public. An Auxiliary Society was immediately formed in Glasgow; by the aid of whose contributions a considerable number of additional pupils have ever

since received the benefits of instruction in the Institution.

Encouraged by the successful issue of the exhibition at Glasgow, the Committee informed the last General Meeting, of their intention to make the Institution known, by similar means, to the northern districts of Scotland. In the autumn of 1817, accordingly, Mr Kinniburgh, and a few of his pupils, were sent to the north. His first public examination was at Dundee; whence he proceeded along the coast to Aberdeen and Inverness, and returned by Perth. He exhibited the progress of his pupils at every considerable town upon this route; and these exhibitions every where excited the most lively interest. Many gratifying testimonies of the general feeling of applause and admiration which they called forth, might be extracted from the provincial newspapers. The teacher was every where hailed, as a person whose exertions had been blessed, as the means of restoring children to their families, and citizens to society, and servants to their God.

The whole results of this journey cannot yet be stated. But it is known, that meetings have been held at Dundee, Aberdeen, Elgin, Inverness and Perth; for the purpose of forming Auxiliary Societies in aid of the Parent Institution. It is hoped, that this example will be followed in other towns; and that the benefits of the Institution will at length be claimed by every part of the country, where a deaf and dumb person can be found. If the Committee shall be satisfied that this object can be promoted, by repeating the examination of the pupils in the provincial towns which they have already visited, or in exhibiting their progress where the Institution is hitherto unknown, they will not fail to resort to these measures. In the mean time, they are sincerely gratified to be enabled to re-

cord the enlightened benevolence of the town of Paisley, where an Auxiliary Society has recently been formed, though it never was visited by the pupils. This may serve to shew the impulse created on the public mind in favour of the Institution, and the deep and permanent interest which is felt in its benevolent objects.

The Committee, therefore, may now venture to congratulate the friends of the Institution, on its having taken its destined place, among the public establishments of Scotland. In that character, it now solicits public support. While its Managers acknowledge with gratitude the measure of public liberality which it has already enjoyed, they now presume to appeal in its behalf, not to Edinburgh only, but to Scotland. The sphere of its operations has no other limit, than that of the country which it seeks to benefit. From every district, and every considerable town, in which deaf and dumb persons can be found, it may with confidence solicit the means of restoring, to comfort and usefulness—to the enjoyment of existence here, and the hope of happiness hereafter,—many who are now perhaps the sorest affliction of their parents and families, and the most helpless and hopeless incumbrances of the community.

The funds of the Institution have not yet had time to experience the advantages of that extension of its field of usefulness, which has just been opened. The measures, however, which are in the course of operation in different parts of Scotland, will speedily, the Committee trust, add largely and permanently to its revenue.

In the mean time, the income of the past year, though not inadequate to the stated expences of the Institution, has not received any increase;—indeed, upon a comparison with that of the preceding year, it will be found to have diminished. But it will be observed, that the Glasgow Society has only remitted L.105 during the year,—a sum falling greatly short of their former very liberal contributions. This diminution, however, will, it is hoped, be only temporary.\*

It is also to be noticed, that the Committee have abstained from increasing their funds by charity sermons, during the past year; being unwilling to encroach upon any of the sources of that extraordinary provision for the poor, which the lamentable exigencies of the past season rendered so peculiarly necessary.

To compensate these deficiencies, some seasonable aids have been received. By the northern journey, exclusive of the incalculable advantages already enumerated, a clear profit was derived, to the funds of the Institution;\* after paying every expence, of no less than L.77, 4s. 6d. The executors of the late Dr James Nasmyth of Hopepark, who were instructed to divide L.500 among the public charities of Edinburgh, allotted L.50 of that sum to this Institution. Several donations of L.10, 10s. have been received from benevolent individuals. The Committee have also had the satisfaction of adding the name of his Grace the Duke of Portland to the list of annual subscribers for L.10, 10s.

Since the Report was prepared, an additional sum of £200 has been received from Glasgow.

From the admission of strangers to the examination of the pupils, at one shilling each.

The total receipts during the last year are as follow :—

Donations and Subscriptions in Edinburgh, . . . . .	L.529	13	6
Remitted by Glasgow Com- mittee, . . . . .	105	0	0
Collected at Annual Exami- nation, . . . . .	28	11	0
Profits of Examinations du- ring Northern Journey, . .	77	4	6
Share of Dr Nasmyth's Le- gacy, deducting tax, . . .	45	0	0
Total, . . . . .	L.785	9	0

This fund has been managed with every attention to economy; and, though it has proved sufficient for the objects to which the Committee have been forced to restrict themselves, it falls short of enabling them to do all the good which the Institution might bestow. There is still, besides, a debt of L.200 due by the Institution, for the purchase of the property in Cheseels' Court. It is therefore incumbent on the friends of the Institution to assist its funds; not only in order to afford the means of continuing and extending its usefulness, but even to preserve it from embarrassment.

It will be observed, also, that the means which have been so successfully employed for making it more generally known throughout Scotland, certainly involve the consequence of subjecting it to the applications on behalf of many unfortunate persons, whose claims would have otherwise never been heard of; and it would be useless to have extended its sphere of operation, unless its means of meeting the demands of humanity were extended in the same proportion.

The Report then notices the means taken to repress the typhus fever in the school, and warmly express their obligations to Dr Keith.

Of the state of the school under the charge of Mr Kinniburgh, the Committee can still speak in terms of the

most unqualified approbation. It is, indeed, chiefly on the assurance of the great benefits derived by the pupils from his tuition, and the wonderful change which it has introduced into the moral condition, that they solicit the aid of a benevolent public. They entreat all, to whom the interests of their fellow-creatures are dear, to visit the school, and to judge for themselves. Let them first contemplate the deaf and dumb in their natural and unimproved state,—almost the lowest condition in which a mortal being can be placed,—and then survey in our school the effects of instruction. So completely has it broken down the barrier, hitherto considered insurmountable, which excluded all the lights of truth, of reason, and of religion, from the minds of these unfortunate persons; that it is no exaggeration to say, that there is perhaps no class of persons in their station, who are so thoroughly well educated, as the pupils of this Institution.

Independently of moral and religious instruction—to which almost all other knowledge is but as the means to an end—the pupils are taught to read and write their native language, to compose in it with ease and fluency, and even to use it in articulate speech. They are also taught arithmetic, and such other branches of education as may fit them for the stations to which they are destined. There are, doubtless, situations and professions, from which their infirmity necessarily excludes them; but there is no condition in which they can find occupation, for which they may not, and do not, receive the appropriate instruction in the Institution.

The pupils who belong to the lower classes of society, are trained to those habits which are to make them useful in their station. All the female pupils are taught sewing, and other peculiar branches of female education.



The females of an inferior station are instructed, by Mrs Kinniburgh, in those occupations which qualify them for domestic service. Those who prefer to support themselves by labour, are taught shoe-binding, and other works of that nature.

Similar attention is paid to the appropriate instruction of the boys. It was mentioned in the last Report, that, as a beginning of mechanical instruction in the Institution, a number of boys had been taught shoemaking. This experiment has been remarkably successful. The Committee annex, in

the Appendix, a state of the expence of this department, from which it will be found, that no loss has arisen from it, but that, on the contrary, it has been, to a small extent, a source of profit, which will doubtless increase, as the boys become more perfect in their trade. It is proper to add, that a large stock of shoes, of different qualities, the work of the pupils, is for sale at the Institution, by the purchase of which, at the ordinary prices, its friends will materially benefit its funds, without increasing their own contributions.

No. III.

## REPORTS AND NOTICES,

ON

## IMPORTANT SUBJECTS.

## AGRICULTURAL REPORT.

THE weather of 1818 was, upon the whole, favourable to the labours of the cultivator and the produce of the soil. The first two months of the year were mild, though unsteady, and allowed him to carry forward his work out of doors with little interruption. During the sowing season, from the beginning of March till the middle of May, it was cold, occasionally boisterous, particularly in March, and sometimes very wet, yet the seeds were in general deposited in a dry bed; and though vegetation had made little progress, even at the latter period the young plants remained in a healthy state. The last fortnight of May was remarkably genial, with an uncommonly high temperature, and fine weather may be said to have continued from that time to the end of October. In June, July, and August, the thermometer often stood at 80°, and even in October at 60°, without ever falling so low as to approach the freezing point, a change which not unfrequently occurs during the night, after some of our hottest days, to the great injury of the crops. The harvest was therefore early, and as August, and the greater part of September, were dry, the crops were all gathered and stored in the best condition. As a proof of the unusual heat of this summer, it is worthy of notice,

that grapes for making wine were brought to the London market in cart-loads, and sold at 7d. a pound; and the melody of the nightingale is said to have been heard on the banks of the Forth.

The following is an abstract of a register of the weather kept on the banks of the Tay, near Perth, which, upon being compared with a similar one for 1817, in our last volume, exhibits a higher temperature by 1.92 degrees, while the quantity of rain is less by 1.109 inches.

	Fair Days.	Rainy Days.	Quantity of Rain.	Mean Temp.
January . . . .	13	18	2.858	36.8
February . . . .	16	12	1.219	35.2
March . . . . .	13	18	2.199	37.3
April . . . . .	21	9	2.462	40.3
May . . . . .	20	11	2.786	50.3
June . . . . .	21	9	1.725	58.6
July . . . . .	13	18	3.983	60.0
August . . . . .	25	6	0.690	56.6
September . . . .	13	17	2.660	52.9
October . . . . .	16	15	1.957	51.6
November . . . .	13	17	3.054	46.8
December . . . .	22	9	1.804	38.5
	206	159	27.397	47.0

All the crops, however, were not equally benefited by this happy contrast to the seasons of 1816 and 1817. On dry thin soils, barley and oats suffered from the want of moisture, especially in some parts of the South of England, where less rain had fallen than in the North, and hay was universally light. That description of corn which always prospers best under such a temperature, is wheat, which was found accordingly to be the most productive crop; and for this reason its price, after the harvest, fell lower than in the proportion which it usually maintains in our markets to other grains.

The crop of 1817 turned out so defective, that the ports were opened to foreign grain for home consumption in February; and, with the exception of six weeks in October and November, during which wheat was excluded from places between the rivers Eider and Bidassoa, that is to say, from the ports of France and Holland, they continued open till after the end of the present year. The aggregate average by which importation is regulated, and which produced this partial and temporary exclusion, was less than 80s. only by 1*d.* the quarter, for the six weeks succeeding the 15th August.

Prices, which began to rise soon after harvest 1817, continued to advance till the month of May in the present year, when partly from the importations of foreign grain, and partly, and perhaps principally, from the favourable change which then occurred in the weather, they began to decline. During the three ensuing months, wheat fell gradually to near the import rate of 80s., round which it veered for several weeks, and at last, about the end of the year, the ports having been still continued open, by the November averages it settled down to a few shillings less than 80s. Up to

the month of May, the price had been from 85s. to 90s. Barley and oats, however, continued to support the advance they had experienced in summer, and at the close of the year were considerably above the import rates. About the end of October, after there had been sufficient time to ascertain the produce of the new crop, barley was something about 60s., and oats above 35s. the quarter. In London the quatern loaf varied from 12*d.* to 14*d.*; and in Edinburgh from 10*d.* to 13*d.* It was pretty steady at the highest prices till June.

Sheep and cattle sold considerably higher than for several years before. In the month of June, they had nearly reached the rates of the latter years of the war; and the advance extended to all descriptions, to stock for the breeder, as well as for the grazier and butcher. Owing to the drought at that time, the demand became somewhat less, and a fall was the consequence; but at the end of autumn, so great was the abundance of grass, from the remarkable mildness of the season, that the supply appeared still inadequate, and prices resumed their former level, and even surpassed it. Wool was never so high in our recollection; South-Down sold for 3s., Leicester, 2s., Cheviot, 1s. 6*d.*, and that of the black-faced heath breed at from 10*d.* to 1s. per pound, avoirdupois.

This prosperous state of agriculture had a very sensible effect on the value of land. Some large estates in this part of the island, for which no offers had appeared for some years before, were sold after an eager competition. Rents, which had been reduced in 1814 and 1815, rose again nearly as high as ever; and country labourers had full employment at wages corresponding to the prices of provisions.

So favourable a change from the

depressed state in which rural concerns had remained for the last five years, was not indeed of long duration, but even while it lasted, seemed to have little effect in removing the discontent which former distress may be supposed to have generated. This discontent manifested itself in the emigration of several farmers of capital, and a great many of a lower description, as well as husbandry labourers, and in the attempts that were now made, upon a maturely-formed plan, to procure an alteration of the corn-laws, with a view to prevent the admission of foreign grain. The great, and perhaps excessive imports of this year, renewed and aggravated the complaints that had been made on the same account in 1817, and delegates from various parts of the country now met regularly in London, to procure the imposition of a heavy duty, amounting indeed to a prohibition on the import of corn, and almost every other description of produce which could by any means, and at any cost, be grown at home. The careless, and consequently inaccurate, returns from which the averages regulating importation were calculated, furnished a more legitimate subject of dissatisfaction, and

one to which no effectual remedy will ever perhaps be provided under the present system. The object of these associations did not however come under the consideration of Parliament till the following year. \* It is therefore sufficient to remark, that whatever may have been the distress of our corn growers from 1814 till 1818, it was most injudicious at this time, when better prospects lay before them, to seek to agitate the public mind anew with a question which had been so recently decided in opposition to the wishes of the great body of the people.

On the continent of Europe, also, especially in the corn-exporting countries, the harvest had been abundant, even still more than in Britain; and after their produce was denied access to our market, prices fell to a lower rate than had been known for many years. There was now peace and plenty at home and abroad; but the wounds which war had inflicted were not yet closed, and the burdens which it had left behind were felt to press more severely when the excitement which it had produced existed no longer, but was succeeded by a state of feebleness and exhaustion rather than of healthful repose.

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## COMMERCIAL REPORT.

THAT revived state of commerce, which had distinguished the close of the preceding year, continued, with little interruption, through the whole of the present. All the branches of British manufacture, particularly those of cotton, were restored to full activity; sufficient employment, and in many cases high wages, were afforded to those who depended upon them for subsistence. The tumults raised by the spinners about the middle of the year to obtain an increase of wages,

appear to have been entirely of a factious nature, made with a view to take advantage of the increased demand for labour to raise it beyond its natural rate. This they sought to effect by striking work themselves, and compelling others to do the same, at a time when it was afforded to them at a very satisfactory rate. This activity of manufacture caused a brisk demand for all its materials, the stocks of which, previously accumulated, were almost entirely disposed of in the course of

the year. Cotton in particular was always in demand, notwithstanding the unprecedented amount of the quantity exposed to sale by the East India Company. The extent of the cotton manufacture was also proved by the export from the port of Liverpool, in the quarter ending January 5, 1818, of 24,835,335 of yards, and 380,544 pairs of stockings, the value of which articles was estimated at 1,300,000*l*. In the following quarter, the export amounted to 29,295,010 yards. The amount continued to increase, and large orders to be received at Manchester, Glasgow, and the other seats of this manufacture. The woollen shared in the augmentation, the quantity of cloth milled in Yorkshire exceeding that of the preceding year by several millions of yards. The iron trade also, at Dudley, Stourbridge, &c. was brisker than it had been for several years. This general prosperity was hailed with the greater satisfaction, since it was fondly, though, as afterwards appeared, prematurely, expected to be permanent, and to mark the final termination of the distresses consequent on the transition from war to peace.

Among the commercial features of the present time, one of the most remarkable was connected with the opening of the East India trade to private adventurers. The result, so far as could yet appear, had been extremely favourable. The following was given as the amount of exports during the four years that the trade had continued open :

1814 . . .	L.1,691,234
1815 . . .	2,427,403
1816 . . .	2,498,165
1817 . . .	3,348,720

Among the articles in which the augmentation was most conspicuous, cotton goods, the staple of India, are prominent, having risen from 109,487*l*. to 423,318*l*. Thus Britain now imports the raw material from India

across half the globe, manufactures it, and after transporting back the cloth by a conveyance of several thousand miles, sells it cheaper than the natives, notwithstanding the extreme cheapness of labour, can produce it—such is the power of skill, capital, and machinery. In like manner, the Staffordshire manufacturers, with their pottery, were able to undersell the staple of China. The rise of value in this article was from 79,191*l*. to 380,884*l*. Malt liquor increased from 50,022*l*. to 111,188*l*.; haberdashery from 16,745*l*. to 80,962*l*.; cabinet wares from 5897*l*. to 18,431*l*. From the 5th January, 1815, to the 5th January, 1818, the outward tonnage increased from 39,141 to 104,628. These were divided as follow :

London, . . .	85,172
Liverpool, . . .	10,876
Greenock, . . .	1,702
Newcastle, . . .	2,259
Portsmouth, . . .	2,122
Bristol, . . .	1,061
Plymouth, . . .	589
Whitby, . . .	468
Hull, . . .	379

In the course of this year, Leith obtained the privilege of ranking as one of the ports from which a trade to India might be carried on.

The commercial prosperity enjoyed by Britain during the present year did not extend to the continent. In the Leipsic Michaelmas fair particularly, a great stagnation was observed from the want of money, and consequently of buyers. The Frankfort fair was more prosperous, and was considered the best that had occurred since the return of peace. The English manufactured goods were not in quantities sufficient to meet the demand, and were observed to be offered at higher prices than formerly; the English being weary of selling their goods at or below prime cost. This proved advantageous to the manufacturers from Switzerland and Saxony,

who found considerable vent for their goods.

The Prussian government adopted this year a remarkably liberal system of commercial legislation. The following are its principal provisions :

"It is necessary to abolish all the restrictions on the free trade between the different provinces of the kingdom. All foreign productions, both of nature and art, may be imported under a pass *in transitu* through the whole extent of the Prussian dominions. The exportation of all the same productions, both of nature and art, is allowed. Exceptions may be admitted for particular reasons, and for a limited time.

"This freedom of trade shall be assumed as a basis in negotiations with other states. Facilities enjoyed by the subjects of the states in their trade with other countries shall be reciprocated as far as the different relations allow, and commercial treaties shall be concluded when necessary ; on the other hand, the right is resumed to retaliate by corresponding measures the restrictions by which the intercourse of the subject with foreign countries naturally suffers.

"The regular import duty on foreign goods is fixed for half a dollar per cwt. Prussian. Those goods which, contrary to this rule, are admitted duty free, or taxed with a higher or lower duty, are specified in the tariff.

"Exportation is duty free ; the exceptions are specified in the tariff.

"Besides the import duty, many foreign goods, if they remain in the country, are to pay a duty on consumption (an excise.) Upon goods of foreign manufacture, this duty shall not exceed ten per cent. on the value ; and it shall be less when it can be so without injury to the internal industry.

"Goods liable to commission duty are specified in the tariff.

"The duties are levied on the weight, number, and measure.

"According to these samples, there is annexed, under A, a tariff for the Eastern provinces, and, under B, a tariff for the Western provinces ; and also the general regulations for the levying of duties.

"Goods not entered for consumption in the country pay import and export duty, but not consumption duty. Such goods may be bonded. Diminution of the duties is allowed in certain cases, particularly for goods brought to the fairs of Nuremberg and Frankfort (on the Oder), or retiring from them. All inland duties levied by the state, by communes, or private persons, are abolished and cease from the day when this law is in force. If the communes, or private persons, levy such duties *a titre onereux*, they are to have an indemnity founded on clear annual receipt, taken at an average of the three last years. From this abolition are excepted Octroi on the Rhine, Elbe, and Weser, and all such duties as are levied for keeping up of the roads, causeways, bridges, harbours, light-houses, &c. which are designed for the promotion of traffic."

Another absolute government (Naples,) distinguished itself by the liberal footing on which it placed its monetary system. According to a decree dated the 20th of April, 1818, any person may freely export from the kingdom either gold or silver coin, or may melt it down, make it into bars, or employ it in any manner of workmanship. The coin is to be of silver only, and the principle of a constant proportion between gold and silver, adopted by almost all civilized nations, is rejected. In consequence of the fruitless attempts to establish this, it has happened that gold at one time disappears from a state, while at another it is superabundant. Gold is to be taken only by weight. The utmost liberty is allowed in exchanging silver for gold, or gold for silver. The mint receives these metals in bars,



	The figures follow- ing the names in the first column, de- note the number of stations.	Soc. for P. G. For- eign, 1723.	Unit. Bre. 1732.	West. Miss. 1786.	Baptist Miss. 1792.	Mission Soc. 1795.	Edin. Miss. 1796.	Church Miss. 1800.	Amer. Miss. 1810.	Total each place.
gra	East Indies			1	2					3
halahad	Utto			1	2					3
oboyia	Moluccas			1	1					2
atigua, 7	West Ind.			1	1					2
uper. Indians 5	N. Amer.			1	1					2
teppe	East Indies			1	1					2
strachan	Russ. Tart.			1	1					2
ahamas, 4	West Ind.			1	1					2
alasore	East Indies			1	1					2
haridores	West Ind.			1	1					2
bartholomew, St.	Utto			1	1					2
telary	East Indies			1	1					2
tenares	Utto			1	1					2
kenuda	West Ind.			1	1					2
berthelcorp	S. Africa			1	1					2
berhanpore	East Indies			1	1					2
hthesin	S. Africa			1	1					2
hunday	East Indies			1	1					2
huywan	Utto			1	1					2
anada, 7 (see Kingston).				1	1					2
affraia	S. Africa			1	1					2
alenta (see Serampore)				1	1					2
aledon	S. Africa			1	1					2
acoune	W. Africa			1	1					2
anton	China			1	1					2
ape Town	S. Africa			1	1					2
eylon, 6	East Indies			1	1					2
Uttlagong	Utto			1	1					2
hmsurah	Utto			1	1					2
hunar	Utto			1	1					2
hristopher's, St.	West Ind.			1	1					2
otym	East Indies			1	1					2
itwa	Utto			1	1					2
Danish Isles, 7	West Ind.			1	1					2
Delhi	East Indies			1	1					2
Denmarra, 5	West Ind.			1	1					2
Digah	East Indies			1	1					2
Dinagore	Utto			1	1					2
Donmucia	West Ind.			1	1					2
Domingo, St.	Utto			1	1					2
Enstirus, St.	Utto			1	1					2
Gambier	W. Africa			1	1					2
Gangan	East Indies			1	1					2
Gyuh	Utto			1	1					2
Guinester Town	W. Africa			1	1					2
Gnadenthal	S. Africa			1	1					2
Geomalty	East Indies			1	1					2
Gorre	W. Afr. Isl.			1	1					2
Grove Hill	S. Africa			1	1					2
Gronland, 3	West Ind.			1	1					2
Gronada	West Ind.			1	1					2
Gruqua Town	S. Africa			1	1					2
Gruetkloof	Utto			1	1					2
Guita, 4	S. America			1	1					2
Hephzibah	S. Africa			1	1					2
Hooze Kraal	Utto			1	1					2
Ikoutsch	Siberia			1	1					2
Jamaica, 5	West Ind.			1	1					2
Java, 2	East Indies			1	1					2
Jessore	Utto			1	1					2
Kanass	Russ. Tart.			1	1					2
Kidderpoor	East Indies			1	1					2
King-ton	Canada			1	1					2
Kissey Town	W. Africa			1	1					2
Labrador, 5	N. Amer.			1	1					2
Laitakoo	S. Africa			1	1					2
Leicester Mount.	W. Africa			1	1					2
Leopold Town	Utto			1	1					2
Madagascar	Co. of Afr.			1	1					2
Madras	East Indies			1	1					2
Malta and Greek Islands				1	1					2
Malacca	Medterra.			1	1					2
Mauritius	East Indies			1	1					2
Meaut	Ind. Ocean			1	1					2
Moghyr	East Indies			1	1					2
Natequaaland	Utto			1	1					2
Nagpore	S. Africa			1	1					2
Nexis	East Indies			1	1					2
N. Bruma & Nova Scotia	West Ind.			1	1					2
Newfoundland	West Ind.			1	1					2
New Zealand	South Sea			1	1					2
Nagarn	Canada			1	1					2
Onchburg	Russ. Tart.			1	1					2
Onabute & Elger	South Sea			1	1					2
P. tua	East Indies			1	1					2
Palamocetta	Utto			1	1					2
Palamatta	N. S. Wales			1	1					2
Peace Mountain	S. Africa			1	1					2
Rangoon	East Indies			1	1					2
Regent's Town	W. Africa			1	1					2
Sarepta	Russ. Tart.			1	1					2
Scranjore	East Indies			1	1					2
Sierra Leone	W. Africa			1	1					2
Silhet	East Indies			1	1					2
Steppe, The	Russ. Tart.			1	1					2
Stellenbosch	S. Africa			1	1					2
Surai	East Indies			1	1					2
Tangore, and Tri- chunopolly	Utto			1	1					2
Talicherry	Utto			1	1					2
Thopodis	S. Africa			1	1					2
Tibalya	East Indies			1	1					2
Tolapo	West Ind.			1	1					2
Tortola and Vir- gin Islands				1	1					2
Tavaneore	East Indies			1	1					2
Tranquebar	Utto			1	1					2
Trinidad	West Ind.			1	1					2
Tulbagh	S. Africa			1	1					2
Vadadelli	East Indies			1	1					2
Vaus Vanyia	Utto			1	1					2
Vepery	Utto			1	1					2
Vincent's St.	West Ind.			1	1					2
Vizagapatam	East Indies			1	1					2
Wilkesboro Town	W. Africa			1	1					2
Yongro Ponnah	Utto			1	1					2
Soc. for P. G. For- eign, 1723.										
Unit. Bre. 1732.										
West. Miss. 1786.										
Baptist Miss. 1792.										
Mission Soc. 1795.										
Edin. Miss. 1796.										
Church Miss. 1800.										
Amer. Miss. 1810.										
Total each place.										
17, 80, 100, 57, 96, 8, 13, 9, 415										

† Tranquebar was originally a Danish Mission, instituted in 1705, and is restored to Denmark, but has been long supported by the Society for Promoting Christian Knowledge in Bartlett's Buildings, London.

The Scots Society for the Propagation of the Gospel in the Highlands, &c. incorporated 1709, had formerly a Mission in North America, which is now extinct; but have 9 Missionaries and 11 Catechists in the Highlands and Isles.



We give also a List of all the Bible Societies established out of Great Britain, whether in Europe, or the other quarters of the world.

EUROPE.			EUROPE.		
Instituted	Bibles.	Tests.	Instituted	Bibles	Tests.
1 German, at Basle ..... 1804			40 Latin, for the Princi-		
(1) German Bibles & Testaments.	40,000	15,000	pality of Lubeck ..... 1817		
(2) French Bibles & Testaments	3,000	4,000	41 Lauenburg-Ratzeburg 1814		
(3) Romanese Testaments,			32 Mecklenburg-Schwerin,		
200 in each dialect.....	—	4,000	33 Rostock ..... 1816		
(4) Italian Testaments.....	—	3,000	34 Brunswick ..... 1815		
2 Zurich ..... 1812			35 Berlin ..... 1805	8,000	—
German Bibles & Testaments.	8,000	4,000	(1) Bohemian Bibles 2 edit.	8,000	4,000
3 Chur ..... 1813			(2) Polish Bibles & Testaments.		
Romanese Bibles & Testaments.	8,000	2,000	36 Prussian ..... 1814		
4 Schaffhausen ..... 1813			with Auxiliary Societies at Pots-		
5 St. Gall ..... 1813			dam, Pantzig, Halle, Breslau,		
6 Aargovian ..... 1815			Wesel, Cleve, Stralsund, and		
7 Bern			other places,		
8 Lausanne ..... 1814			German and Wendish Bibles	23,000	3,000
9 Geneva ..... 1814	6,000	—	and Testaments.....		
10 Neuchâtel ..... 1816			37 Königsberg 1812; en-		
11 Waldenses, at La Tour, &c.			larged ..... 1815	3,000	3,000
12 Hungarian, Presburg 1812			Lithuanian Bibles & Testaments.		
Slavonian and Wendish Tes-			38 Thuringian, at Erfurt 1811		
taments ..... 5,000			39 Eichsfeld ..... 1815		
13 Königsfeld ..... 1812			with an Auxiliary Bible Socie-		
14 Würtembg. at Stuttgart 1812			ty at Nordhausen.		
German Bibles & Testaments	15,000	7,000	40 Eisenach ..... 1816		
15 Strasburg ..... 1815			41 Saxon ..... 1814		
German Bibles ..... 10,000			with Auxiliaries in Leipsic,		
16 Hesse Darmstadt ..... 1817			Herrnhut, &c.	13,000	—
comprehending, among other			German and Wendish Bibles.		
auxiliaries, those previously			42 Swedish, 1809; en-		
formed at Michelstadt, in the			larged ..... 1814		
Odenwald, and at Worms ...			with its Auxiliaries at Gothe-		
17 Ratisbon ..... 1805			burg, Westeras, Wisby, Lund,		
German Testaments ..... —	60,000		Upsala, Askersund, Hernosand,		
18 Nassau-Homburg ..... 1816			Skara, Carlstadt, and Wexio.		
19 Nassau, Duchy ..... 1816			Swedish Bibles and Testa-		
20 Frankfurt ..... 1816			ments, on standing types ...	27,000	62,000
21 B. rg., at Ellberteld ..... 1814			43 Norwegian ..... 1816	—	—
with Auxiliary Societies at So-			44 Danish ..... 1814		
lingen, &c. and Bible Associ-			with Auxiliaries at Odensee.		
ations in the manufactories.			Aalborg, Kiøge, & Lyngbye.		
German Psalters ..... 3,000			Danish Bibles ..... 10,000		—
22 Cologne ..... 1814			45 Icelandic ..... 1815		
23 New-Wied and Wied			Previous to the establish-		
Runkel ..... 1816			ment of this Institution, 5000		
24 Waldeck and Pymont 1817			Bibles, and 3000 Testaments.		
25 Lippe-Detmold ..... 1816			were printed for the use of		
26 Hanover ..... 1814			Icelanders, by the British and		
with Auxiliary Societies at			Foreign Bible Society, and		
Donaburgh, Aurich, Buecke-			2000 of the latter by the So-		
burg, and East Frisia.			ciety at Fuhnen.		
German Bibles ..... 10,000			46 Schleswick-Holstein ..... 1817		
27 Bremen ..... 1815			with many important Auxili-		
28 Hambro-Altona ..... 1814	10,000		aries.		
29 Lubeck (city of) ..... 1814			47 Rudsburg ..... 1817		

EUROPE

	Instituted Bibles.	Tests.
48 Finnish, at Abo ..... 1812		
49 Finnish Bibles and Testaments, on standing types ... 5,000	5,000	5,000
It is in contemplation to form Auxiliary Societies and Bible Associations throughout Finland.		
49 Polish, at Warsaw ..... 1816		
50 Russian, at St. Petersburg. 1813		
with its Auxiliaries at Moscow, Dorpat, Mittau, Riga, Revel, Yaroslaff, Orenburg, Voronez, Kamentz-Podolsk, Theodosia, Tula, Symphoropole, Odessa, Cronstadt, Wilna, Moghilev, Witopsk, Grodno, Minsk, Kostroma, Astrachan, Pscow, Pensa, Charkow, Saratow, Simbirsk, Resan, Taganrog, Bialistock, Tobolsk, Tcherkask, Wiatka, Kiew, Pernan, Twer, and Kasan.		
These have undertaken the printing of the Scriptures in the eighteen following languages and dialects :		
(1) Calmauc ; the Gospel of St. Matthew, in which language the Scriptures were never printed before.....	—	3,000
(2) Armen. Bibles & Testaments .....	5,000	3,000
(3) Finnish Bibles and Testaments for the use of the Finnish Inhabitants in the Government of St. Petersburg.....	5,000	2,000
(4) German Bibles with standing types .....	5,000	—
(5) Ditto Catholic Testaments .....	—	5,000
(6) Polish New Testaments.....	—	5,000
(7) French Bibles & Testaments .....	5,000	1,000
(8) Slavonian Bibles and Testaments, for the use of <i>Native Russians</i> .....	35,000	15,000
(9) Dorpatian-Esthonian Testaments .....	—	5,000
(10) Revel-Esthonian Testaments .....	—	10,000
(11) Lettonian, or Lettish Testaments .....	—	15,000
(12) Persian Testaments.....	—	5,000
(13) Georgian Testaments .....	—	2,000
(14) Saniogian Testaments .....	—	5,000
(15) Ancient Greek Bibles ...	3,000	—
(16) Modern Greek Testaments .....	—	5,000
(17) Moldavian Bibles & Testaments .....	5,000	5,000
(18) Tartar Testaments .....	—	5,000
Do. Gospel of St. Luke .....	—	2,000
Ditto Psalters .....	2,000	—
TOTAL .....	270,000	262,000

The Committee of the Dorpatian Society have begun to establish Bible Associations in the several parishes, under the superintendence of their respective pastors ; these have been found of very great advantage among the labouring classes.

The establishment of Bible Associations has commenced at St Petersburg ; and it is expected that the plan will be generally adopted throughout that metropolis.

51 Netherlands Bible Society, comprehending among others, the following districts, viz. Amsterdam, Rotterdam, the Hague, Enkhuysen, Utrecht, Haerlem, Leyden, Dordt, Assen, Vliedingen, Groningen, Delft, Leeuwarden, Middelburg, Goes, Schiedam, Oud Beverland, Zutphen, Alkmaar, Maassluis, Gorum, Hoorn, Zwooll, Zierzee, Zalt Bonmel, Breda, Amersfort, Campen, Deventer, Edam, Putten, and Tholen.

A plan has been adopted, and in a degree carried into effect, for establishing, within the city of Amsterdam, and its environs, 32 Bible Associations.

Instituted.  
52 Malta Bible Society ..... May 1817

ASIA.

1 Calcutta Auxiliary Society ..... 1811  
with branches at Malacca, and Prince of Wales's Island.

2 Columbo (in the Island of Ceylon) .... 1812

3 Bombay ..... 1813

4 New South Wales ..... March 7, 1817

5 Java ..... June 4, 1814

6 Amboyna ..... 1815

7 Astrachan ..... 1815

8 Tobolsk ..... 1817 } as  
Auxiliaries to the Russian Bible Society.

AFRICA.

1 Mauritius and Bourbon, Isles of .... 1813

2 St Helena, Island of ..... 1814

3 Caledon ..... Dec. 31, 1815

4 Sierra Leone ..... May 16, 1816

AMERICA.

American National Bible Society, New York, ..... May 11, 1816

About two hundred exist in the United States, several of which, as well as the above, have been aided by the British and Foreign Bible Society.

Nova Scotia Auxiliary Society, established at Halifax, in Nov. 1815, with Branch Societies, viz. Annapolis, Antigonish, Barrington, Douglas, Chester, Cornwallis, Cumberland, Hampshire, Horton, Londonderry, Parrsborough, Shelburne, Truro.

Pictou ..... 1813

Yarmouth and Argyle ..... January 25, 1816

Liverpool ..... 1817

Prince Edwards Island ..... 1817

Quebec ..... 1813

Niagara ..... 1816

Upper Canada Midland District, Feb. 17, 1817

Berbee ..... November 15, 1815

WEST INDIES.

Jamaica Auxiliary Society of the People of Colour ..... 1813

Antigua Auxiliary Society, February 9, 1815

The last report of the Edinburgh Missionary Society contains a pleasing account of the progress of their labours in the east of Europe, as well as a description of the manners and mode of life of the Trukmen, or Turcomans. From this interesting document, we make the following extracts:—

The Trukmen are a nomadic and pastoral tribe of Tartars, who inhabit chiefly the great Kitzliar Steppe, between the Kuma and the Terek, eastward from Karass toward the Caspian. They seldom, if ever, settle in villages; but roam from place to place, encamping in tents, with their herds and flocks around them, wherever they can find suitable shelter and pasturage. Their language approaches nearer to the Turkish, than that of the other Tartars; and, in consequence of the nature of their occupation, their spirit is less ferocious, and their habits more gentle and domestic. During Mr Galloway's visit to them, on which he was accompanied by John Steele, one of the ransomed boys, he was highly gratified with the reception which they gave, equally to his instructions, and to the copies of the New Testament and tracts, which he took along with him for distribution. The cart in which he travelled was for some days constantly surrounded by crowds, earnestly requesting books; and saying, with every appearance of deep interest, that they wished to know the way of salvation. And when some of the Kara Nogays, another tribe who wander about like the Trukmen, and who are perhaps the most bigoted Mahomedans of all the Tartars, endeavoured to persuade them not to receive such books, because they did not agree with the Koran; the Trukmen told them that they (*viz.* the Nogays) were ignorant persons, and that the books were recommended to them by those who knew more than they.

The importance which the Directors have been led to attach to As-

trach as a central station for missionary exertion, and as the seat of an establishment for translating and printing the Scriptures in the various languages of Asiatic Russia, has been fully justified by every month's intelligence, which, during the past year, they have received from their missionaries.

The labours of Mr Mitchell, and his coadjutor, James Peddie, at the missionary press, and of Mr Dickson, in revising, correcting, and translating, have been such as to merit the highest commendation.—When it is considered that these have been the only constant and efficient labourers at this post of duty, and that, besides having to attend to the instruction of their own families, they have had to converse, almost daily, and often for hours together, with Persians and others who visited them with the view of obtaining copies of the New Testament and information concerning the truths of Christianity, some estimate may be formed of their activity, and diligence, and zeal, from the following statement of what they have been enabled to accomplish within the short space of a twelvemonth. During that period, *viz.* from January 1st, 1816, to January 1st, 1817, there have issued from the Missionary Press—

800 copies of a Turkish Tract, containing the first three chapters of Genesis.

800 copies of an Arabic Tract, containing Exodus, ch. xx. and Matthew, ch. v.

2000 copies of a Tartar Tract, for the Orenburg Mission.

2000 copies of an Arabic Tract, containing a short history of the Bible; with a small Catechism annexed.

4000 copies of a Tartar Catechism, for the Kirghisians, &c. at Orenburg. And

5000 copies of Luke's Gospel, of the Karass translation, for the Russian Bible Society: making, in all, 14,600 copies of various religious publications.

During the same period, they have bound and prepared for distribution, 904 copies of the Psalms in Turkish (printed the preceding year); 134 of the Karass New Testaments; and 3400 of the Gospel by Luke: besides stitching, &c, the Catechism and Tracts.

Nor have these publications been suffered to lie beside them undisposed of, or unused: for, with the addition to the above, of about 600 copies of the Scriptures in various languages received for distribution from the Russian Bible Society, they have sold, circulated gratis, sent to Karass, to Oranburg, to the government of Cherson, to Theodosia, and Sympheropol in the Crimea, or given to the Bible Committee in Astrachan, no fewer than 2566 copies of the New Testament, in whole or in part, or portions of the Old Testament, together with 6548 Catechisms or Tracts; in all, 9114 copies.

The Directors next advert to Mr Paterson's journey through the Crimea; and state that the interest excited by his conversation was almost universal, and by no means confined to the professors of any one religion in particular. During the whole of his itineracy through Little or Crim-Tartary, till he reached Perecop, only three priests refused the New Testament, one of whom did not return the copy, which he received to examine, till after he had it nearly a day in his possession. Mullas, and Effendis, and Imams, in every district of the country, welcomed the precious gift: several natives of Turkey carried it along with them to the places of their residence; and not only Greeks, but Jews, and Mahomedans, and Pagans, seem prepared to receive the gospel.

PARIS.—News from Peking, of the 17th Nov., 1817, announce that the missions of China, which are supplied by the means of St. Lazare, had been recently exposed to a furious persecution. About four hundred Chris-

tians of the capital were arrested and cruelly tortured. Several had not been able to support the persecution, and had abandoned their faith. The richest Christian of the city, and even of the province, had not feared to abandon his property and his family, and to see himself delivered up to a Mahometan as a slave, rather than renounce his religion. The persecution ceased all at once, and the persecutors appeared to have returned to milder sentiments. This persecution has only served to strengthen the faith in the truly faithful. The superior of the Lazarists, who lives at Paris, Rue de Serres, No. 95, has undertaken to send out missionaries into these countries, which have so great a need of them.

CANTON.—The persecuting spirit of the Chinese government still continues; and renders not only the greatest caution and most prudent care necessary in acting, but also prevents doing any thing publicly and avowedly in the cause of the gospel.

A severe edict, lately issued by the local government, has obliged some of the natives employed by Dr Morrison, and Europeans, as assistants in the language, to abscond. This despotic measure has thrown some difficulties in the way of proceeding with the printing of his Dictionary; but these, it is hoped, may in course of a little time, be overcome. From a Memoir of Dr Morrison's Journey to Peking, which will most likely be published in England, much genuine information respecting the real state of China, may be expected.

The following are the most important proceedings of the General Assembly of the Church of Scotland during the present year.

The General Assembly was opened at Edinburgh on the 21st May, by William Earl of Errol, his Majesty's Lord High Commissioner to that Court. The Rev. Dr John Campbell, one of

the Ministers of Edinburgh, was chosen Moderator. The customary letter from the Prince Regent, with the grant of 2000*l.* for propagating Christian knowledge in the Highlands of Scotland, was delivered by the Commissioner, and a Committee was appointed by the Assembly to draw up a suitable answer.

On the 23d, the Assembly took under their consideration the case of marriages celebrated by the Scotch church in India. After detailing the various steps which had been taken, in order to procure the sanction of the Court of Directors, to have it found that marriages celebrated by a Scotch clergyman in British India were legal and valid, the Assembly were not only gratified to find the Directors of the India House going heartily into the measure, but that his Majesty's government had taken the subject into their serious consideration, and that a bill had been framed, and read twice in the House of Commons, to render valid all marriages that had taken place, or that should take place, betwixt the members of the Scottish Church in British India, either where the parties were wholly belonging to the Scottish Church, or either of them a member of that communion.

On the 27th, the Assembly had transmitted to them from the Committee of Bills, an extract of minutes from the Presbytery of Dunfermline, referring to the Assembly, for advice and decision, a cause relating to the ringing of the bells of the parish church of Dunfermline on the Lord's day of the 12th of April last, which had been brought before them by a reference from the Kirk Session. It seems, that on the day mentioned, a sermon was to be preached for some charitable purpose; and the Magistrates of Dunfermline, in order to make the collection as high as possible, obtained the use of one of the dissenting meeting-houses, which was larger than the parish church. The minister of the parish refused to allow

the church bells to be rung on the occasion; but the magistrates persisted in their order to that effect, and sent some of their officers, who made their way to the belfry in spite of the beadle, and rung the bells. The Assembly, after hearing parties in this case, found that the power of regulating the time and manner of ringing the bells of the parish church, as connected with ecclesiastical and religious purposes, belonged exclusively to the minister or ministers of the parish; and that the proceedings in this cause, on the part of the Magistrates of Dunfermline, were irregular and reprehensible; at the same time, the Assembly remitted to a committee to consider what steps might be proper for preserving the rights of the church.

On the 28th, the Assembly took into consideration an appeal which had excited considerable interest in the city. On the 1st December last, the Presbytery of Edinburgh had presented to them a petition from several inhabitants of the city, in name of themselves and about 300 heads of families, stating, that they had purchased, for 4000*l.*, the late Episcopal Chapel in Cowgate, and praying that the same might be erected into a Chapel of Ease, in communion with the Established church. The Presbytery, after much discussion, refused to comply with this petition.

Mr Andrew Thomson, on the part of the Presbytery of Edinburgh, argued against the expediency of erecting this chapel into a Chapel of Ease. He stated, in the course of a long speech, that the established churches of Edinburgh had more than two thousand seats vacant, which the petitioners might have access to if they really wanted accommodation in the established church. The reverend gentleman further stated, that this was nothing but an attempt to create a new congregation under a favourite clergyman,

while there was a Chapel of Ease in the neighbourhood, quite competent, along with the other established congregations, to contain the whole of the parties who made this application. Dr Meiklejohn followed on the same side, and enforced the same arguments. Mr Henry Cockburn, as counsel for the petitioners, made a speech of two hours and a half. He went into a history of the Church of Scotland, the progress of dissenters, and in the most feeling terms, appealed to the Assembly whether or not two thousand Christian souls, knocking at the doors of the church to become members of the Establishment, should be rejected, when, comparatively speaking, the increased population had been far greater than the accommodation made by the Established Church during the last fifty years. The learned counsel concluded a most able speech, by calling upon the Assembly, as they valued the best interests of the Church of Scotland, to reverse the sentence of the Presbytery of Edinburgh. Mr Sommerville, minister of Currie, also addressed the Assembly on the same side.

Parties being fully heard and removed, the Assembly affirmed the sentence of the Presbytery.

In consequence of this decision, we understand the congregation assembled in the Cowgate chapel, under the care of the Rev. Simon Fraser, have made a proposal to join the Relief Synod.

On the 30th, the Assembly took into consideration, extract minutes of the Presbyteries of Strathbogie and Aberlour, referring to them the conduct of Mr John M'Donald, Minister of Uquhart, in preaching in other parishes than his own, within the bounds of the above presbyteries. Mr Cruickshanks, a member of the Presbytery of Strathbogie, was heard in support of the reference, and Mr M'Donald in explanation. After long reasoning, a motion was made and carried, that, "having

considered the references, the Assembly declare, that the performance of divine service, or of any part of public worship or service by ministers of this church, in meeting-houses of dissenters, is irregular and unconstitutional, and ought on no occasion to take place, except in cases in which, from the peculiar circumstances of a parish, its minister may find it occasionally necessary for conducting the ordinary religious instruction of his people; and the Assembly further declare, that the conduct of any minister of the church who exercises his pastoral functions in a vagrant manner, preaching during his journeys from place to place in the open air, in other parishes than his own, or officiating in any meeting for religious exercises, without the special invitation of the minister within whose parish it shall be held, and by whom such meetings shall be called, is disorderly, and unbecoming the character of a minister of this church, and calculated to weaken the hands of the minister of the parish, and to injure the interests of sound religion; and the Assembly enjoin presbyteries to take order that no countenance be given by ministers within their bounds to such occasional meetings proposed to be held for divine service, or other pious purposes, as may, under the pretext of promoting religion, so injure its interests, and so disturb the peace and order of the church: and in case of such meetings taking place, the presbyteries within whose bounds they are held, are enjoined to report the same to the meeting of the General Assembly next ensuing."

June 1.—His grace the Commissioner, in an elegant speech from the throne, dissolved the Assembly in name of his Royal Highness the Prince Regent, on behalf of his Majesty. The Moderator then dissolved the Assembly in the usual form. The next General Assembly is appointed to meet on the 20th of May, 1819.

## LITERARY INTELLIGENCE.

FRANCE.—In the spring of the present year, the Four Academies, which had been established separately, were formed into one body, under the presidency of Comte Pastoret. They held an annual sitting April 24th, the day of the restoration of the king to his country. The President opened the sitting by a discourse explanatory of the motives and objects of this consolidation of talent and learning. After which, M. Raoul Rochette, in the name of the Academy of Inscriptions and Belles Lettres, read a dissertation on the advantages of Erudition. M. Bosset, who succeeded, offered, in the name of the Academy of Sciences, a sketch of the progress of the French Marine. The Academy of the Fine Arts, was represented by M. Girodet, who spoke on the principles of originality in the Arts of Design; and M. le Comte de Fontanes concluded the sitting by rehearsing, or rather declaiming, an Ode on the Violation of the Tombs at St Denis, as a specimen of the talents cultivated by the Poetic department of Taste and Genius, in modern France.

— Some months since, the French minister of the interior being informed that the Royal Library at Paris contains a great number of Chinese books, respecting the contents of which there existed no information, printed or written, appointed M. Abel Remusat to draw up a list of them. The result is, that, exclusively of 329 works comprised in Fourmont's catalogue, made in 1742, the library possesses 175 works, forming about 2000 volumes. Among these are 280 volumes, being a portion of a great collection published by one of the last Manchou emperors; and consisting of a History of the Chinese Characters and Writing, or rather of

the Literature and Rhetoric of that people, in 80 volumes; a History of Music, in 70 volumes; a Description of all the Foreign Countries known to the Chinese, also in 70 volumes; and 60 volumes on the Sects which believe in Spirits and Prodiges. Here, too, is a description of China, in 260 enormous volumes, with maps and plans, infinitely more complete than any that we possess respecting the most known countries of Europe. Among the historical works are some of considerable importance, such as the *Li-tai-ki-sse*, an excellent chronological account, in the style of Henault's Abridgment, or Le Sage's Atlas, but much more erudite and regular, in 100 volumes; a manuscript History of Japan, in 60 volumes; a Chinese and a Japanese Encyclopædia, containing figures of all such objects as can be represented. Of these works, M. Remusat has undertaken the task of drawing up a general *Catalogue raisonné*, which is to include those comprehended in Fourmont's performance. He will state the titles, translate them, frequently comment upon them, and add such information as can be gleaned concerning their authors or editors, and all other particulars stated in the prefaces. He will carefully mark the divisions and subdivisions, especially of the great collections; and give a succinct but accurate analysis of the contents of each part. A catalogue of this kind is rendered the more desirable, as Fourmont's, which, as we have seen, embraces only a part of the collection, has many inaccuracies and omissions.

— According to the *Bibliographie de France*, there have been published in 1817, four thousand two hundred and thirty-seven works; 1179 engravings; and 470 pieces of music. The first

three weeks of the present year, produced 280 publications, 63 engravings, and 26 new tunes.

At a late meeting of the Institute and Royal Academy of Science, the gold medal prize, founded by the late M. de Lalande, was awarded to Mr Pond, the astronomer royal at Greenwich, for his researches relative to the annual parallaxes of the fixed stars.

From the report read at the late public meeting of the Society in France, for the Improvement of Elementary Instruction, it appears, that the number of schools established on the new plan now amounts to 369; of which 339 are for boys, and 30 for girls. The reason of this great disproportion is, that the principal institution for girls was not opened till fifteen months after the elementary school for boys. Of the 369 new schools, there are 219 in towns, and 150 in villages. The rural schools have not hitherto multiplied so rapidly as those in the towns, as it is but natural that improvements should be longer in penetrating to country places, which moreover possess fewer resources for defraying the first establishment. Of all the schools formed on the new system, that at Nantes is upon the largest scale. In general, those in the towns number from 150 to 400 pupils, and the village schools from 60 to 125. Thus it is computed, that this institution affords instruction to at least 60,000 children. The Society continues to publish monthly a number of its *Journal d'Education*, which gives an account of its proceedings, and of the progress of elementary instruction.

The English tragic drama is chiefly known in France through the translation of M. Le Tourneur. We understand that M. de Châteauneuf is about to publish a selection of English comedies. To judge of it by the fragments which the author has given in the French journals, published in London,

his translation will be faithful as well as elegant. In his prefatory remarks, he says, "I have studied the English drama for three years, and whenever I may venture to criticise it, I shall, perhaps, do so with the prejudices of a Frenchman. I conceive, the reading of twenty comedies gives me a better idea of a people than a hundred volumes of travels. In comparing the comic drama of the two countries, some idea may be formed of the astonishing contrast which exists between two such near neighbours. The English language possesses a certain superiority with which no modern tongue can vie; it is that lofty energy which belongs to the genius of liberty. Should the freedom of the press not be established among us, (as our good ministers have promised,) the English language, which every one wishes to learn, on account of that liberty, will become universal on the continent, and France will thus lose the only pre-eminence which remains to her."

While the members of the Roxburghe Club were celebrating, on the 17th of June, the memory of the first printers of Boccacio at Venice and in England, under the presidency of Lord Spencer, the Reverend Mr Dibdin, vice-president, united himself to this bibliographical banquet by a repetition of it, which he gave at Paris. He invited to it M. Denon, to whom France is indebted for a great portion of the manuscripts and early editions which she possesses, and several of the Conservators of the Royal Library, Messrs Vanpraet, Langlès, Gail, and Millin. It may be easily supposed that literary history and bibliography offered an inexhaustible field for conversation; the meeting displayed a mixture of gaiety and gravity becoming the banquets of the Muses.

GERMANY.—The general catalogue of works announced for sale at the Leipsic Easter Fair, is, as usual, very



bulky, and would give a most favourable idea of the state and labours of literature in Germany, if it were reported in the mass, and the titles of the performances offered.

The number of works executed in Latin and in German, is, 2,230 ; to these must be added, novels, 104 ; theatrical pieces, 60 ; books in foreign languages, 246 ; atlas's and collections of maps, 45 ; musical compositions, 416 ;—in the whole 3,101.

From the number 2,230, of works in German or Latin, must be deducted a great number which are merely re-prints without improvements ; including also works formerly published, but now made as new as *new titles* can make them !

From this number, 2,230, must also be deducted translations from the French, the English, the Italian, &c., which cannot, strictly speaking, be attributed to the literary labours of the Germans themselves. When these deductions have been made, the number of original German works may be taken at about 1,500 to 1,800.

The quantity of pamphlets, sermons, essays, and other articles of information or exhortation, which have appeared on occasion of the festival of the Reformation, and on Luther, is surprising to the German critics themselves.

It should seem that the literati of Germany have lost nothing of their fecundity. Draeseke has furnished eight sermons ; Hoch has furnished an equal number of works on Jurisprudence ; Wilmsen edifies youth by nine tracts for younger life ; and Voss, much as he satirizes the follies of the times, contributes to increase them, by no less than eight novels and romances.

But this is not a just description of the contents of this catalogue ; it comprises works which do honour to literature, and to the literary talents and spirit of their authors ; among these

must be placed many works of Philology and Classical learning, by Schow, Bothe, Sneider, Berk, &c. : the Zootomia of Carus, the Laws of Polarization, with the Scientific Physiology of Walter, the Treatise on Disorders of the Heart, by Kreyszig ; also, many Historical Works by Voigt, and others.

Among the works in foreign languages, are distinguished, the Iconography of Visconti, the Collection of Ancient Monuments in the countries inhabited by the Gauls ; with many works transferred from the Danish language.

The number of works announced as being at present at press, amounts to 300 ; some of which are extremely interesting to the learned ; such are, an Aristophanes, a Pindar, and an Ovid, by Ahlwardt ; an edition of Plato, complete, by Ast ; an Iliad, with all the ancient Scholia, by Bekker.

Several performances of learned strangers contribute to enrich this catalogue, —such as Norberg's *Lexicon codicis Nasaric*, Boissonade's *Herodian*, De Candolle's *Systema Regni Vegetabilis* ; the *Etymologicum Gudianum*, and the *Miscellanea Doctrinae* of Wyttenbach.

The best musical compositions are derived from Vienna, or from Bohemia, and are works of Beethoven, Koze-luch, Newcomm, Call, the Chevalier Seyfried, and others, pupils from the school of Haydn. Music certainly is a very popular study in Germany ; but, at present, it flourishes as a science, principally in the South.

The following account is given of the present state of the German universities :—

	Religion.	Students.
Vienna,	Catholic,	957
Prague,	Catholic,	800
Berlin,	Protestant,	600
Breslau,	Cath. and Prot.	366
Halle,	Protestant,	500
Griefswalde,	Protestant,	55

	<i>Religion.</i>	<i>Students.</i>	
Landshut,	Catholic,	640	some are Catholics and some Protestants.
Wurzburg,	Catholic,	365	This mixture of nations imparts a
Erlangen,	Protestant,	180	certain peculiarity of mixture to the
Leipzig,	Protestant,	911	languages in which instruction is com-
Göttingen,	Protestant,	1132	municated; some sciences are taught
Tübingen,	Mixed,	290	in the Servian language, others in Latin,
Heidelberg,	Protestant,	303	and others in German. The religious
Freiburg,	Catholic,	275	principles are taught in Slavonian,
Marburg,	Protestant,	197	as being the language of the Greek
Giessen,	Protestant,	241	church; and also in the Servian
Kiel,	Protestant,	107	dialect.
Jena,	Protestant,	659	The Director of this Lyceum is Dr
Rostock,	Protestant,	100	George Charles Rusny, Professor of

Thus, instead of the 36 universities which existed previously to 1802, there are now but 19, of which 5 are Catholic, 2 mixed, and the rest Protestant. The total number of students is about 8500, which, taking the population of all Germany at 29½ millions, is about 288 for every million.

In the year 1815, the Austrian Major General Loriot, had completed a map of Europe on no less than thirty sheets. He proposed to publish it by subscription, and at the head of his list stood the names of the Emperor and the Monarchs then at Vienna. Nothing could appear more flattering; but, after all, the support was found unequal to the expences, and the design was laid aside for a more practicable undertaking. The work is now reduced to a map in four sheets, extra large paper, and is lately published at Vienna, price 18 florins.

At Carlowitz, in Symria, is established an Illyrian Lyceum, which, by the last report, contained in the sixth class 18, in the fifth class 30, in the fourth class 20, in the third class 35, in the second class 38, and in the first class 28, in all 169 students. The greater part of these youths are of the Servian nation, and profess the Greek religion; but among them are some Germans, Slavonians, and Wallachians, of which

some are Catholics and some Protestants. This mixture of nations imparts a certain peculiarity of mixture to the languages in which instruction is communicated; some sciences are taught in the Servian language, others in Latin, and others in German. The religious principles are taught in Slavonian, as being the language of the Greek church; and also in the Servian dialect.

The Director of this Lyceum is Dr George Charles Rusny, Professor of Philosophy, Mathematics, and Natural Sciences. The other Professors are either Hungarians, Greeks, or Slavonians.

The following is literal translation of the letter which his Prussian Majesty addressed to Baron Alexander Humboldt, in his projected tour in India:—

“Our State's Chancellor, the Prince of Hardenberg, has laid before us the memorial which you have transmitted to him, on the subject of your intended travels to the Indian Peninsula and the islands of the Indian Archipelago. You have already, by your travels in South America, and the fine work in which you have recorded their fruits, earned a fame which has redounded not less to the glory of our native country than to the advantage of science. We doubt not that the same result will arise from your newly projected travels. With this view we willingly confer upon you, for your support, in the prosecution of your design, a yearly sum of 12,000 dollars in gold, to be continued during four or five years from the commencement of your enterprise. We moreover present you with whatever astronomical and physical instruments may be necessary for your researches; which instruments, however, shall, on your return, become

the property of the state, and be deposited in a place which shall be pointed out for them, after the termination of your travels. It will give us great pleasure to see your scientific efforts directed to enrich the cabinets of our kingdom, and to make them participate in the success of your labours.

(Signed) "FRED. WILLIAM.

"*Aix-la-Chapelle, Oct. 19.*"

M. de Dietz, Counsellor of Legation, a learned orientalist, has bequeathed to the Royal Library, at Berlin, his whole collection of books and manuscripts, on condition that they should form a distinct department, under the name of the Dietz Library.

Among the MSS. in number about a thousand, is a collection of materials procured by Laurent de Santen, adapted to the illustration of Ovid, Catullus, Tibullus, and Propertius; also several MS. copies of Virgil, and preparations for future editions of Horace, Cicero, Sallust, and Suetonius.

Among the Oriental MSS. are a Koran written in Cufic characters; the Biographical Dictionary of *Ibn Chalikan*, in three Volumes; a MS. of the Shah Nameh of *Ferdusee*; the history of the Tartars by *Abulgazi*, in the Mongol language; and several oriental pictures. The collection of printed books, in number about 15,260 volumes, is very rich in oriental performances; also in classic authors, in editions ancient and modern, with notes written in the margin. There is also a copy of the second edition of Meninsky's Vocabulary of the Persian and Turkish, and Arabic languages, with a number of marginal and supplementary notes. M. Dietz has expressed a wish that some learned orientalist would undertake to publish them, in two volumes, folio, under the name of their collector.

The collection of medals, which includes among others, all the coins of

the Ottoman Sultans, has been united, according to the will of the testator, to the Royal Cabinet of Medals.

The Museum of Northern Antiquities at Copenhagen, has been united to the University Library. This Library was founded by King Christian IV. and now comprizes nearly 60,000 volumes. It also possesses a valuable collection of Iceland Manuscripts, and others connected with the ancient history of the North; they were given by an Icelander, Professor Arnas Magnæus. In 1694 he was nominated professor of Danish Antiquities. In 1702, he returned by order of the King into Iceland; whence he came back in 1712 to Copenhagen: in this city he was charged with the superintendence of the University Library, to which he bequeathed the whole of his manuscripts.

It is known with what joy and gratitude the Greeks at an earlier period received the distinction when the Academy of Munich established scientific relations with them. The authorities at Chios, which enjoys almost unrestrained freedom, and a distinguished literary institution, sent, according to the custom of ancient states, a Senatus Consultum, by which the Academy was received into the rights of hospitality. At a late period, the Grand Duke of Weimar secured to the Greeks an asylum, with important advantages, at Jena; and young Greeks at Munich, when they have finished their initiatory studies, assemble there to continue their scientific education. In the Countess of Edling (whose maiden name was Sturza), their compatriot, they find in that city a protectress as liberal as she is enlightened.

*Voyage of Discovery: Natural History.*—On occasion of the departure of the Archduchess Leopoldina for Rio Janeiro, the Emperor of Austria determined to send under her protection, and forming part of her suite, a num-

ber of scientific men, naturalists, and other literati. These are commissioned to examine the principal provinces of Brazil, and to make their observations and researches in every department of science, of the arts, and of natural phenomena: they will also make collections of articles of natural history, and others, proper to enrich the cabinets and museums of Vienna. The general direction, the conditions, and plan of this literary and scientific expedition, the choice of the gentlemen engaged, &c. has been confided to Prince Metternich, who has named the following company:—

J. C. Mikan, M. D. Professor of Botany in the University of Prague, &c. who has the superintendence of the department of Botany and Natural History.

M. Natterer, one of the keepers of the Imperial Cabinet of Natural History; this gentleman's department of discovery is Zoology.

M. Thomas Euders, landscape painter.

M. Sochor, a huntsman in the service of the Imperial Archduke; from whose activity in the chase much is expected.

M. Schott, inspector of the Imperial Botanic Garden of the Belvedere.

Professor Pohl, of Prague, whose department is Mineralogy.

John Buchberger, painter of flowers and plants.

M. Schiich, Librarian of the Archduchess, now Princess of Brazil.

Of these nine persons the first five embarked at Trieste, and sailed for Brazil, April 5, 1817. The other four embarked from Leghorn with the Archduchess. M. Schribes, director of the Imperial Cabinet of Natural History at Vienna, will receive the correspondence and publish the results.

To these nine literati the King of Bavaria has added two members of the Academy at Munich: Dr Martins and

Dr Spix, conservator of the Zoologic collections.

ITALY.—The most respectable presses of Italy appear to be engaged on works of considerable extent; rather, perhaps, honourable to the writers of that country in times past, than in time present; yet such as could not be undertaken without considerable reliance on the disposition of the public to patronize works of merit, though expensive.

Sig. Pietro Custodi has published at Milan, the last two volumes, being the 49th and 50th of the Italian Economists.

At the same city, Sig. Melchiorre Gioja has published the sixth and last volume of his *Systema Raggionato*, &c.; A General and Argumentative System of the Economic Science.—

This system contains the theory and practice of all the branches of administration, public and private. But the first part only of this work is what is announced as complete: the practical part will also be treated in several essays, which will appear in succession: the subject of the first of them is the nature of merit, and the rewards to which it is entitled.

At Venice Alvisopoli prepares a collection of Select Poetry, under the title of *Raccolta di Poesie scelte in dialetto Venetiano*. It will include twelve volumes, and will form a companion to the works already published at Milan, and at Naples, which comprise pieces written in the dialect of those cities respectively.

Bettoni, at Brescia, announces a new edition of the work of Count Giambattista Cornioni, called *The Ages of Italian Literature*, in ten volumes, 12mo. Cornioni's work terminated at the year 1750; the present edition will be brought down to the year 1800.

At Pisa, Nicolo Caparro proposes a new edition of the *Life of Lorenzo of Medicis*, translated from the Eng-

lish of Mr Roscoe, by Sig. Macherini. Corrections are announced for this edition; but whether of the original or of the translation, we do not know: but we are glad that the publishers have acquired courage enough to insert into this edition, an article omitted from the former, "on the Reformation effected by Luther," a subject, probably, thought unfit to appear in a Catholic country.

The learned world will be pleased to find, that Sig. Angelo Maio one of the Librarians of the Ambrosian Library at Milan, continues to search after ancient works hitherto imperfect, little known, or supposed to be lost. Several of his recovered pieces have been reprinted in different places: as, for instance, *Dionysii Halicarnassei Romanorum Antiquitatum, pars hactenus desiderata, nunc denique ope codd. Ambrosianorum ab Angelo Maio quantum licuit restituta Græce Ad. edit. princ. Mediolanensem. gr. 4to 8vo. Frankfort, 1817. Price 1 florin, 30 kr.*

This learned individual, on examining some very old MSS. perceived under the Latin text which they contained, another very different in form, and certainly of much earlier origin. This raised his curiosity; and, on examination, the text concealed by its successor, proved to be the *Mæso-Gothic translation of the fifteen Epistles of St Paul*, made by Bishop Ulphilas, in the fourth century, the loss of which has been exceedingly lamented among the learned.

It is true that the famous *Codex Argenteus* of Upsala, which contains a considerable part of the four Gospels, was published in the seventeenth century; and that two other editions, one as late as 1805, were well received. The learned Knittel also discovered in the library at Wolfenbuttel, several fragments of the Epistle to the Romans, which he published in 1762. But the text found at Milan far ex-

ceeds in extent, all that has been hitherto published; and opens a vast field of inquiry, as well on the subject of the Scriptures, as on that of the northern languages and antiquities. This text fills two large manuscript volumes; they are not of the same handwriting; but are apparently of the fifth or sixth century. What is wanting in one of these volumes is supplied by the other; though they will form one whole. The letters are large and handsome; the titles of the Epistles are written on the top of the MS. and notes, in the same language, on the margin.

An individual of Milan, distinguished by his zeal for science, has ordered an extensive font of these Ulphilan letters to be cast by an expert workman, as well for the text as the notes. The learned world may, therefore, expect copies of this truly ancient translation; of which Sig. Maio intends to give a most complete idea in a preliminary dissertation.

Besides this discovery, the same indefatigable inquirer has had the good fortune to retrieve about twenty pages of the same language, from several other MSS. Among them are passages from the Gospels, which contribute to perfect the Upsala copy: also part of a homily, or commentary; and fragments of a version of Ezra and Nehemiah.

As so great a proportion of the language is recovered in these labours of Bishop Ulphilas, a new Vocabulary of the Mæso-Gothic tongue is in contemplation. This dialect was that of the Goths, who obtained from the Emperor Valens permission to retire into his dominions for shelter from the violence of the Huns.

In the course of the last four years, the extent of the excavations at Pompeii is much enlarged; a whole quarter of the city is cleared, with another gate of entrance. In a few years more, the whole of the town will be brought

to light, and Pompeii will revive from the tomb, in which it has been enclosed during almost eighteen centuries. Every thing remains as left by the Romans, its late masters. Every thing denotes their customs and habitudes. It may be said that we live with them; that we use their furniture; that we eat at their tables; that we inspect their decorations; that we read their manuscripts. An intelligent traveller lately spent some hours in watching the progress of the labourers employed. They threw clods of clotted ashes into wheelbarrows, for the purpose of being carried away. They opened on the wall of a house painted in fresco. By degrees appeared prettily painted devices, representing Bacchantes and boy Cupids. The continued labour, by clearing the apartments, brought to light a charmingly elegant bronze, a candelabrum, in the form of a tree, resting in a vase of the same metal, the fruits of which formed lamps, with projections for holding the wicks. By the side of this bronze was found a bust of Marius—These labours are continued till the approach of night obliges the workmen to cease.

NAPLES, Nov. 10.—There has been excavated in Pompeii a very curious monument, which has been carried to the Bourbon Museum. It contains, with various inscriptions, the scale of the different measures of weight and capacity in use among the Romans, viz. the *modus*, the *semi modus*, the *amphora*, the *congius*, the *hemina*, the *libra*, and the *quaternus*. That learned antiquary Romanelli, to whom we owe this precious discovery, supposes that these measures were carried to Pompeii by the Roman colony which was transported thither in the time of Augustus.

The College of Armenian monks at Venice, was founded by the Abbot Mechitar, probably about the beginning of the eighteenth century. It

comprises, among other means of learning, a printing-office, which, since the year 1721, has published many original works in the Armenian language, or works translated from the Latin into the Armenian.

The works on Theology might, perhaps, afford to those who could study them, new, and possibly correct, views of certain things, which are best understood on the spot, as the Armenians have the opportunity, if they have also the disposition, to become acquainted with many places, and many people. Those works which are of a more ascetic cast, would possess little attraction among our countrymen.

Among the works on the Belles Lettres, are several grammars and vocabularies; as a Tuscan Grammar, explained in the Armenian and Turkish languages, by Father Avedichian; an Italian Dictionary, explained in the Armenian and Turkish languages, by Father Ciacciak; an Armenian and French Dictionary, by Father Pasquali Aucher.

The works on Instruction present elementary treatises on arithmetic, geometry, trigonometry, navigation, geography, philosophy, and history. Among the latter is a Universal History in Armenian, from the creation to the eighteenth century, by Father Michael Ciarmician, in 3 vols. 4to. published from 1784 to 1786. A Sacred History, by Father Giovanni Zohrab, was published in 1803.

Since 1785, have been published, among other works, the History of the Air Balloon, by Father Eudasian, 1785.—The History of Thomas Kuli Khan, in Turkish, 1800.—Elements of Miniature Painting, &c.—An Armenian Almanack is published every year, with notices, by Father Luca Ingigin.—The Telescopo Byzantino, which is a kind of political gazette or journal, appears in one sheet, every fortnight, under the conduct of Father

Matthia Piusghilgian. As many Armenians are settled in Persia, and some among our stations in India, there can be no doubt but what a gazette of this description has its influence and its use in conveying intelligence, &c. &c.

The same Congregation has also published Maps of the Four Parts of the World, Hemispheres, &c. ; also, separate Maps of Armenia, of Palestine, of the Black Sea, of the Sea of Marmora, the Strait of Constantinople, and of the Ottoman Empire.

**RUSSIA.**—M. de Gretach published in 1817, a View of the State of Literature in the empire of Russia ; from which we learn that the liberal studies continue to meet with protectors, and to produce works in various branches.

Among other articles, we notice a publication at Moscow of Annals of the History and Antiquities of Russia. These contain valuable materials for Russian history ; but, it should be recollected, by whoever intends to treat that subject with due justice, that many other works relating to the former history of this country, have been published in German. In like manner, many other works on the Russian language, have been published in German ; although there is a journal edited by a literary society at Moscow, which contains a critical analysis of the rules of Russian grammar.

In the year 1815, the number of periodical works of different descriptions published in Russia, amounted to more than forty ; but several of them have experienced the fluctuations of public opinion, or the difficulties of a first establishment, and the number decreased in the year 1816. The Academy of Sciences, and the Russian Academy, continue to publish their transactions. There are also a number of poets in Russia, whose works contribute to entertain the public ; and some of them enjoy a distinguished reputation among their countrymen, who can best appreciate their merit.

The Emperor Alexander has lately appointed the Count Von Kotzebue editor of an immense work, to be circulated in every part of the empire, and be publicly read by the clergy ; which is to embrace all the works printed in Europe, — politics, statistics, manufactures, public instruction, &c. He is to employ as many presses as he may deem necessary ; a munificent salary is attached to the appointment, and the Count is allowed to reside in any part of Russia or Germany which he may find to be most advantageous for the prosecution of his literary labours. He is now as celebrated for his political, as he has been for his dramatic science.

A poet has appeared in Russia, to whom the emperor has granted a pension of 4000 roubles, (about 700*l.* a year.) His name is Schakowsky, and his work is upon the Ruins of the Kremlin of Moscow.

The Royal University of Warsaw received its definitive organization by a decree of the Emperor Alexander, dated November 19th, 1816. This decree, which is composed in the Latin language, directs, that “The University shall be divided into five Faculties ; Theology, Jurisprudence, and Political Economy ; Medicine, Philosophy, and the Fine Arts, with the Belles Lettres. The Professors are capable of receiving distinctions of all kinds, with their respective honours. The Professors of the superior chairs shall be ennobled, and shall enjoy all the prerogatives attached to nobility ; if they retain their situation ten years, these prerogatives to descend in their families. The Rector of the University is charged with the examination of all works and writings published by members of the university.”

The Royal Society of Sciences at Warsaw continues to publish its Transactions ; of which the tenth volume has appeared, embellished with a Geognostic Map of Poland. How far

the late political changes which have taken place in that kingdom may contribute to animate the liberal arts and studies, it is not easy to say. Much may be hoped for from a judicious and fostering government. At present, we have only to report, that the principal contents of this volume date from the years 1813 and 1814; and that we learn from the Report of the President of the Society, the Counsellor Stanislaus Stassic, that no satisfactory answers have been received to the prize questions proposed in 1812 and 1813. The first of these demanded a tragedy founded on some event of Polish history; the second desired the history of the introduction into Poland of the art of tanning leather, after the manner of Seguin. The third wished for an instructive comparison of the authority of the Grand Marshall with that of the Great Treasurer of the Crown; a question that, we presume, has been deprived of its former interest by recent events. The other contents of the volume refer rather to subjects more properly appertaining to Poland than to science at large.

Hitherto there were counted in Russia 58 schools or seminaries for forming young ecclesiastics, and for which there had been appropriated an annual fund of 180,000 roubles. This fund having been found insufficient, the Emperor Alexander has recently advanced it by an ukase to 300,000 roubles.

At the University at Moscow, almost all the public courses have recommenced, and it is remarked, that the very disasters of that city have had a favourable influence on the state of the sciences. The appointments of the Professors have been augmented, the different branches of the sciences have received a great developement, and the number of students is augmenting. The Gymnasium has been opened anew, and perfected in several of its parts. It is the same with the schools in the

country. After the example of the Emperor and Empress Dowager, the grandees and wealthy individuals study to contribute to the progress of instruction, by donations and very considerable foundations. The Count de Schouwaloff has given a sum, 150,000 roubles, for the formation of a Gymnasium at Moscow. The Counsellor of the Mines, M. Demidow, has given a sum of 100,000 roubles to the University of Moscow, and a similar sum to the seminaries of Kieff and Yaroslaff. The Count de Scheremetjew has granted for the foundation of an establishment for poor persons, a fund of one million and a half of roubles, and another very considerable sum to the University of Moscow. The Grand Chancellor, M. de Romanzow, has established upon his estates a number of schools of mutual instruction. He is getting built at this moment, four churches of different confessions; and the fact is known, that he has furnished the funds for the voyage round the world, directed by Captain Othon Kotzebue. Lastly, the Cossacks of the Don have sent statues of the Twelve Apostles, formed of massy silver, of the natural size, to the Church of Notre Dame of Casan, at Petersburg.

**SWEDEN.**—The literary riches of the capital of Sweden have been considerably augmented by the addition of the fine library which his Excellency General Suchtelen has brought from St Petersburg. This general had been occupied for the last forty years in forming and completing this library, which is composed of nearly 40,000 volumes, and which is, above all, remarkable for the choice, and the number of rare and precious works it contains. A great part of the hotel occupied by the general, as well as an adjoining house which he has hired, are to be arranged so as to receive those books, as well as a large cabinet of near 20,000 medals, a fine collection of pictures, and seve-



ral other articles of art and curiosity which he has collected.

**PORTUGAL.**—On the 24th of June, the Royal Academy of Sciences in Lisbon held a public session. Its proceedings were prefaced by a short discourse, pronounced by the Vice-president, the Marquis of Borba, one of the governors of the kingdom. The secretary then made a statement of the labours of the Society, and of the Memoirs which had been presented and read during the preceding year. Sebastian Francisco de Mendo Trigozo afterwards read a memoir on the five first editions of the *Lusiad* of Camoens. He was followed by Mattheus Valente de Conto, who read an introduction to a memoir, which had gained a prize, relative to the programma of the academy, upon the demonstration of rules given by Wronski, for the general reduction of equations. Joseph Maria Soares read a compendious Statement of the General History of Medicine, from the beginning of the Portuguese monarchy. This Statement is intended to form an introduction to his History of Medical Science in Portugal. Sebastian Francisco de Mendo Trigozo read a memoir on the establishment of the Arcadia in Lisbon, and on its influence in the restoration of Portuguese literature. The author of this memoir is Francisco Manoel Trigozo de Aragam Morais. After these proceedings, the academician Ignacio Antonia da Fonseca Beveides read an historical recapitu-

lation of the labours of the Vaccine Institution, in the course of the preceding year. Time would not admit of the reading of other memoirs, and the following were therefore admitted. One by Francisco Elias R. Frigues da Silveira, upon medicine empiricism; another by Antonio de Arango Travassos, upon the means of abbreviating typographical labour; and a third by Constantino Botelho de Lacerda Lobo, on the unequal temperature of the solar rays, separated by the prism. It appears that the following works were printed by the Academy within the last twelve months.—The fifth volume of the Chronological Index of the Portuguese Laws and Edicts, by the Desembargado, (the Judge) John Peter Ribeiro; a Treatise on the Practice of Medicine, by Joseph Pinheiro de Freitas Soares; and the second part of the third volume of the Memoirs of the Academy.

A French paper states, that the Bashaw of Egypt has sent agents to Europe to engage artists and manufacturers to settle under his government. He is fond of botany, and purchases at a liberal price exotic plants. He subscribes to the French journals, and has ordered 600 volumes of French literature. He has particularly desired an account of the methods of instruction employed by Bell and Lancaster, which it is understood he means to apply to education in Arabic.

## THE FINE ARTS.

THERE never probably was a period in which the arts of design in Britain shone with equal lustre as in the present. The former age, indeed, could boast the high names of Reynolds, Gainsborough, and Wilson—the splendour of which, we should vainly now

attempt to surpass; but they will be duly matched by those of West, Laurence, Wilkie, Turner, Chantrey, with not a few who can scarcely be considered as second to these. Meantime, this age is, above all, distinguished by the wide diffusion of the successful cul-

tivation of these beautiful arts. By a list inserted in a periodical work, entitled, "Annals of the Fine Arts," it appears that there were now resident in and near London, not less than nine hundred and thirty-one professional artists, divided into the following classes:—

Painters, . . . . .	532
Sculptors, . . . . .	45
Architects, . . . . .	145
Engravers in the line-maner, . . . . .	93
mixed styles, . . . . .	38
mezzotinto, . . . . .	19
aquatinta, . . . . .	33
on wood, . . . . .	22

Among the painters, not less than forty three were ladies.

Among the circumstances which give so great an impulse to British art, none probably acted more powerfully than the exhibitions with which, for a long time, the public had been annually presented. Among these, the lead was taken by that (now the fiftieth) made by the Royal Academy at Somerset-house. It contained 1117 pieces, several of which were of the first excellence. The President produced a picture painted forty years ago, "the Great Mogul presenting to Lord Clive the grant of the Dewannee for the East India Company;" also a Nativity. Mr Northcote had a picture on a singular subject, shewing an exploit of agility performed by a prisoner taken at the battle of Sedgemore, in 1685. "Una with the Satyrs," by Mr Hilton—"The Virtue of Faith," by Mr Harlow, a highly promising young artist, of whom a premature death has deprived the public—a sketch of "Shadrach, Meshach, and Abednego, delivered from the fiery furnace," by Mr Singleton, were also remarked in the historical department. In portrait, Sir Thomas Laurence was pre-eminent, particularly by his Duke of Welling-

ton, in the dress he wore, and on the horse he rode, at the battle of Waterloo; and by his Lady Gower. Sir William Beechey had a picture of Lord Erskine; and Mr Jackson one of Earl Grosvenor, which have been much praised. Mr Wilkie produced an interesting picture of Sir Walter Scott and family, which he thus describes:—"A finished sketch of Walter Scott, Esq. and his family. In the centre Mr Scott, seated on a bank, at his left is his friend, Captain A. Ferguson, with his two sons, Mr W. and Mr C. Scott, and behind them is an old dependant of the family. On the right is Mrs Scott, attired as a cottage matron, with her two daughters as ewe-milkers. In the front of the picture is Mr Scott's gigantic stag greyhound, of the ancient Highland race, now almost extinct; and in the distance is a view of the Tweed, the town and abbey of Melrose, the Eildon hills, and the top of the Cowden-knows."

Mr Phillips and Mr Owen supported their reputation. In landscape, Turner claimed the foremost place. He shone particularly by his picture of the Field of Waterloo on the night after the battle. He introduced a number of women, &c. seeking their relations by torch-light among the dead, and threw on them striking effects of light, from the remains of the fire which had consumed the village of Hougoumont. His "Dort Packet-boat Becalmed," was also much admired. The collection was also enriched by performances of Calcott, Glover, Collins, Holland, Bigg, and the Daniells. In sculpture were remarked a full-sized statue of Mr Pitt, by Mr Westmacott; the infant daughter of the Duke of Bedford, by Mr Chantrey; and an equestrian statue of the Duke of Wellington, covered with trophies and insignia taken at Waterloo, by M. Garrard. The architectural designs were very numerous, and pre-

sented a flattering view of the state of that art.

The British Institution had as usual two exhibitions; the first of the works of British artists; the second of those of the old masters. The former contained several important works, among others the "Bombardment of Algiers, August 27, 1816, shewing the situation of the British line of battle ships, and the part they took in the action," by Mr Rogers. The artist was assisted by sketches taken during the conflict on board the Minden.—"The Angel descending into the pool of Bethesda," by Mr Ward. A picture from the song of Duncan Gray, and one representing "Bathsheba," by Mr Wilkie—"Zethus and Amphion fastening Dirce to the horns of a wild bull to avenge their mother," by Mr Howard—"The Evening Star," and "St John in the Wilderness," by Sir W. Beechey—a very large picture, of "Christ raising the widow's son at Nain," by Mr Brockledon.

The exhibition of the works of the old masters contained 153 pieces, from the principal collections in the kingdom. Eleven of these were furnished by the Prince Regent, besides two of the cartoons. Two pictures of the Assumption of the Virgin, one by Guido, and the other by Morillo, gave an opportunity of comparing the style of these two great masters. The same object was effected by two heads of Christ, one by Guido and the other by Leonardo da Vinci. This collection contained two capital pieces of the celebrated French painter Le Sueur, one representing Alexander drinking the medicine prescribed by his physicians; the other "Theseus lifting the Stone." It was also distinguished by some fine specimens of Cuypp and Teniers, and by some portraits of Vandyck.

Another highly respectable exhibition was made by the Society of Painters, in oil and water colours. The institution was originally confined to the

last branch; but the taste for the somewhat declined, those in oil have been introduced, and their number increasing. The whole exhibition consisted of 369 pictures by Richard Glover, Barrett, Deane, Hastings, Fielding, Barney, and jun. Harding, Prout, Robson, Cox, Vane Holmes, Wild, Uwins &c. Mr Haydon had several of the studies for his great picture of Christ's entry into Jerusalem, since completed.

Scotland, during the present year, did not make any public display in this branch. The original exhibiting association had been broken up by fatal schisms which had arisen among the sons of art; and none had yet been formed to supply its place. The different branches of art, however, continued in silence to be diligently and successfully cultivated. Scotland could boast of Nasmyth the father of landscape painting, and whose son and daughters inherited an ample portion of his talent—Wilson, Thomson, (Rev. J.) Gibson; while Williams was collecting in Italy and Greece new knowledge of nature and memorials of art; and Dr Schetky was bringing from Galicia and the Pyrenees pieces distinguished by an interesting and original character. In portrait, this country supported its long established reputation, by the works of Raeburn, the Watsons (uncle and nephew,) Geddes, Thomson, (W. J. miniature,) &c. Even history, the higher branches of which had for some time been a stranger to Scotland, was now successfully cultivated by Allan and John Watson. The former produced this year and exhibited in London the "Press Gang," which was considered a worthy successor to his admired picture of the Circassian captives.

On the continent, the most interesting feature of art consists in the works executed at Rome by Canova and Thorwaldson, the first of modern sculptors. The following notices re-

tivation to these occur in the course of list in recent year.

late accounts from Rome notice are increasing attention and encouragement given to the fine arts in that city. The Chevalier Thorwaldson is employed in restoring the last of the statues of *Ægina*. These chefs d'œuvre have filled him with the ambition of himself producing a figure of Hope in the antique style. Count Sommariva, one of the richest protectors of the arts in Europe, has given Thorwaldson an order to execute for him, in marble, "The Entrance of Alexander into Babylon," upon the design of that which is so much admired in stucco at the palace of Monte Cavallo. Canova has now finished the group of Love and a Nymph, which the Prince Regent of England ordered of him.

Canova's colossal statue of *Buonaparte*, which was presented to the Duke of Wellington by the King of France, is arrived in England, and is placed in Apsley-house,—the Duke's London residence.

By the munificence of the Prince Regent, in the year 1815, the sum of 250,000 francs were placed by Lord Castlereagh at the disposal of Canova, who was then at Paris, to be applied to defray the expences of carrying to Rome the works of art restored by France, of which sum 50,000 francs were directed to be appropriated towards the monument of the Cardinal York. It is now erected in St Peter's, where the monument of his father is placed, under the title of King of Great Britain, France, and Ireland, Defender of the Faith, &c. It is said, that the Cardinal, by his will, directed that his name should be recorded on his tomb as Henry the Ninth. Canova has undertaken to execute a marble group to adorn and illustrate the monument, which, when completed, will form a distinguished ornament of the magnificent Cathedral of Rome.

It is expected to be finished in the course of the present year.

The following detached notices on subjects of art may be found interesting.

A set of casts from the *Elgin marbles* are to be immediately prepared for the Imperial Academy of Arts at Petersburg, under the direction and superintendence of Mr Haydon, to whom M. Olenin, the president, has written in the most flattering terms for that purpose.

The copy in Mosaic of Leonardo da Vinci's *Lord's Supper*, begun by order of Napoleon, and finished under the auspices of the Emperor of Austria, has been sent to Vienna as a present from the Lombardo-Venetian kingdom to the Empress. Eighty horses, in various carriages, were employed in its conveyance.

Mr Salt, British Consul General in Egypt, has lately sent over, as a present to the British Museum, the colossal head of Memnon, formed of one solid block of marble, weighing nearly nine tons. The face is in high preservation, and is much admired by the *cognoscenti*.

The same ship (the *Weymouth*) has brought over several architectural antiquities from Lebidia, which are a present from the Bey of Tripoli to the Prince Regent.

The celebrated *Moses* of Michael Angelo, a colossal figure of the most exquisite proportions, and finished in a style that to this day is unrivalled, having by the Pope's permission been withdrawn from its niche, in St Pietro in Vinculo, in order that Mr Day, an English artist, might take a mould of it to bring to England; this copy has now arrived safe, and is set up in company with the *Monte-Cavallo* figure, in that capacious room in the stable-yard, which the Prince Regent allotted to these exhibitions of colossal sculpture.

The admirers of antiquity and of the

arts were lately gratified with the novel kind of exhibition at Lansdowne house. The great attraction was the *Venus de Medicis*, which, after lying under ground for nearly 2000 years, was discovered lately among the ruins of Pompeii. This is the original renowned statue, and pronounced such by Canova, who, when he first discovered it, was seized by such an extravagant fit of enthusiasm, as induced common people to suppose that his

intellects were disordered. It is considered as the finest specimen of that branch of the art in the known world. This beautiful object is represented as coming from the bath, and by candle light looks as white as snow; but by day the appearance is different; it having acquired those precious tints, so highly prized by the lovers of virtue, and which time only can bestow. Around the room were other statues, and very fine, real antiquities.

## LOCAL IMPROVEMENTS AND ESTABLISHMENTS.

By Mr Chapman's report of the proposed canal between Carlisle and the Solway Frith, it is to commence from the west side of Carlisle, and to terminate at Fisher's Cross; the distance is eleven miles—to admit of vessels from seventy to 100 tons—vessels to be sixteen feet by sixty-six—seven feet draught—canal fifty feet wide, eight feet deep, the locks seventy-four feet long and seventeen feet wide.—The summary of the whole estimate of this extensively useful and large scale of navigation is, with the addition of 15*l.* per cent. for incidents, superintendence, &c. 71,365*l.*

The amount of shares subscribed by inhabitants of Carlisle alone, for the intended canal from that city to the Solway Frith, amounts to nearly 20,000*l.*

The proprietors of the Aire and Calder Company lately held a meeting, and resolved to open a more eligible line of water communication between Leeds and Hull.

A meeting has been held at Chester, for the purpose of petitioning Parliament for leave to build a new bridge from that city over the river Dee. The erection of the new bridge over the river Conway is to be immediately be-

gun. When this is completed, Chester will again become the great thoroughfare between London and Dublin.

At a numerous meeting lately held at Darlington, resolutions were entered into for making a canal or railway from Stockton to the collieries in the interior of the county of Durham.

A respectable meeting of the occupiers of lands was lately held at Romford, for the purpose of taking into consideration the propriety of forming a navigable canal from the river Thames, by Dagenham and Romford to Collier-Row Bridge; and to devise the means of carrying the same into effect. Resolutions were entered into to accomplish the undertaking. It is to be thirty-six feet wide at the water-surface, twenty-one feet wide at the bottom, and five feet deep; and to be navigated by barges of from forty to sixty tons burthen.—This project, of the greatest advantage to the county of Essex, has received strong patronage, and a numerous body of highly distinguished persons have become subscribers.

A general and respectable meeting has been held at Stockton, to take into consideration the expediency of forming a canal from Evenwood-bridge to

the first Tees, which was unanimously agreed upon.

A meeting was lately held at Thwaite, of the joint committee appointed to consider of the plan of a navigable canal from Diss to Ipswich. The report of Mr Cubitt, civil engineer, was read, and the measure was unanimously agreed to.

The completion of the Gloucester and Berkeley canal will now be speedily accomplished.

A handsome bridge is about to be erected over the Severn, from Tewkesbury to Northampton.

The works of the Portsmouth and Arundel navigation were lately commenced at Ford, the eastern extremity of the line. The first spade was put into the ground by John Williams, Esq. the original projector.

The Southwark Bridge over the Thames is in great forwardness. The bed of the arch leading to Queen-street is composed of a mass of masonry, lying diagonally, to resist the constant pressure of the weight of the arch, and meeting the bend of the whole span. In digging for the foundation on the Southwark side, a copious spring was discovered, the water of which was quite green. The breadth of each ellipsis, of which there are three, will not in the least obstruct the navigation.

WALES.—The new iron bridge, intended to be thrown over the Menai strait, will be 1000 feet in length, and will be suspended between two rocks, at the height of 100 feet above the surface of the water.

A line is now making for the laying of an iron railway, to communicate between the Glamorganshire hills and the Bristol Channel, for the purpose of facilitating the transfer of coals, with which those hills abound; and a depot is to be formed near Ewenny-bridge, to receive them.

Bennet-college, at Cambridge, is

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about to undergo a very considerable enlargement, by the formation of an entire new court and entrance, opposite Catherine-hall. In a line with this new building, it is intended by the University to form the Fitzwilliam Museum; several architects of eminence are now employed to give in design. This additional ornament, to the University and town, will occupy the space between Bennet-college up to Bennet-street. The members of King's-college are about commencing their improvements, by pulling down a set of frightful old houses, that have long been a disgrace to Cambridge; these commence at Bennet-street or King's-college-lane, and terminate opposite the Senate-house. It has been a subject of contention in the various meetings of the Syndics, whether the Fitzwilliam Museum should be erected on the site above mentioned, or facing the Senate-house; but the latter, much to the praise and taste of these enlightened members of the University, has been over-ruled, lest it should operate as a screen to intercept the view of the finest and truest specimen of Gothic architecture, and the greatest ornament of that seat of learning, the chapel of King's-college. A grand bridge, consisting of one arch, is already designed to cross the river Cam, in a line with the centre of the new buildings, or present fellows' apartments of King's-college; and the land on each side, westward, is to be raised to the level of Clare-hall piece. But, to return to that street, which will one day rival High-street, Oxford,—the masters and fellows, respectively, of Trinity and St John's, are about to improve the fronts of those renowned seats of learning, by a speedy removal of the house and walls from Caius-college, or Trinity Back-lane, to St John's gateway; and thereby give ample space, where already it is so much required. In that case, it

is supposed that the master and fellows of Caius-college will pull down that part of Free-court which at present renders the street so narrow opposite St Michael's church, together with the houses belonging to that ancient college, which approach the Senate-house. Peter-House College is also expected to undergo improvements, in consequence of the handsome donation lately presented to the members of that edifice.

The Lunatic Asylum for the West Riding, erected near Wakefield, which has cost upwards of 40,000*l.* is now opened, and ready for the reception of 150 patients.

Seventy thousand pounds have been lately bequeathed to the parish of Dollar, in Clackmannanshire, by a person named Macnab, whose history and connexion with the parish is very imperfectly known. The money is left at the sole disposal of the minister and kirk session of Dollar, a parish containing only about 800 persons. The minister is the Rev. Andrew Milne, a gentleman long eminent as a teacher in Edinburgh, and the author of several valuable works on education. It is proposed to employ the money in forming an academy, which will be the most extensive in Scotland, and perhaps in Britain. Besides teachers for English, Latin, Greek, and the modern languages, there will be Professors of Botany, Practical Chemistry, Mathematics, Natural History, Moral Philosophy, and some other branches.

#### IMPROVEMENTS IN EDINBURGH.—

On Tuesday the 6th, the Michaelmas Head Court of the county of Edinburgh was held, for the first time, in the new County buildings, Lawnmarket. The meeting was held in the Court-room, which is neatly fitted up for the public business of the county. It is 43½ feet long, by 29 feet wide, and 26 feet in height, with a gallery in the south end. The other

principal room is for the meetings of the noblemen and gentlemen of the county, and is 50 feet long, by 26½ feet wide, and 26 feet high; it is a very elegant room, at the north end of the building. There is, besides, accommodation, not only for the Sheriff, but for every person connected with the public affairs of the county. The building fronts the east, and the entrance is by a flight of 11 steps, under an elegant portico, supported by four large hexed pillars. It was designed by Mr Archibald Elliot, and executed by Mr John Inglis, and will, when the cathedral of St Giles has been refaced, and the causeway lowered, add much to the beauty of the city.

The contract for building the Waterloo Tavern and Hotel on the Regent Bridge is now finally settled. It is stipulated to be roofed over by Whitsunday next, and finished at Candlemas following, which affords an early prospect of Edinburgh at last enjoying an establishment, so long wanted, in the first style of elegance. It is understood, that all the buildings upon the same side, to the east of the hotel, are disposed of for another public but mercantile purpose.

The exterior of the grand public Museum in the College of Edinburgh is now finished, and is allowed by all judges to be one of the most beautiful and chaste pieces of architecture in Scotland. Preparations are making for fitting up the interior according to the classical plan suggested by Mr Playfair, junior. The apartments are on a great scale; and when filled with the numerous objects of natural history in the present Museum, and distributed throughout different parts of the College, and with such collections as may be added by the liberality of Government, and the patriotism of individuals, will contribute in an eminent degree to the advancement of natural history in this kingdom. Al-

ready individuals, sensible of the importance of a national Museum in the Metropolis of Scotland, have intimated their intention of contributing in various ways to its support and increase. Colonel Laing, well known to the public by his mineralogical writings, has been the first to set the example of contributing to this public establishment. We understand that he has presented to the College Museum the valuable collection of minerals he made in Greece, and the Greek islands, and has accompanied this interesting donation with a splendidly printed catalogue, and engravings of classic Grecian scenery, made from original drawings, and engraved at his own expence, by one of our most eminent artists.

*February.*—A third of the line of the Union Canal between Edinburgh and Glasgow, westward from Edinburgh, is now contracted for; and the operations will soon commence.

*April.*—Since the execution of the Union Canal was determined upon, public attention has been strongly directed to the establishment of railways, to intersect the coal district in the vicinity of Edinburgh, and to be used for the conveyance of all heavy commodities through its populous neighbourhood. Surveys have accordingly been made by Mr Stevenson, engineer; and

the Magistrates and Town Council, on the application of a Committee appointed by a general meeting held last year, have unanimously resolved to give the measure their support. This subject, we understand, has attracted the attention of the neighbouring counties; and it has been proposed to extend the survey already made into East Lothian, Roxburghshire, and Selkirkshire, with the view of forming railway communications from these counties with Edinburgh, Leith, and the canal basin. However these speculations may succeed as objects of profit to the projectors, their execution will evidently be productive of much public advantage to the community.

Among the many important improvements in Scotland, a railway is proposed to be made from Ardrossan in Ayrshire, to Sourbie; to be carried on by a subscription of 50*l*.—Nothing can be of greater advantage than railways, which are now becoming frequent in many parts of the country. A memorial has been submitted to the Hon. William Maule, M. P. Joseph Hume, Esq. M. P. the magistrates of Montrose and Brechin, and the proprietors of landed estates between Montrose and Forfar, respecting a projected railway from Montrose to Brechin.



# CHRONICLE

OF

## MISCELLANEOUS OCCURRENCES.

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### JANUARY.

THE following address was lately presented to the Lord Mayor and other Justices presiding at the Old Bailey Sessions, by the Grand Jury.

"We, the Grand Jury of the City of London, having reported the several bills of indictment presented to us in due form, and being informed by the proper officer that no others are forthcoming, do wait upon the Court for the purpose of receiving our discharge; at the same time, we wish to observe the great pleasure we have derived in perceiving that no bill has been found by us for murder, nor any one of a crime of a peculiarly atrocious nature;—a circumstance very gratifying to the jury.

"In the progress of our duty we visited the prison of Newgate, and especially directed our attention to the state of that prison; and we lament to record, that from the great influx of prisoners, it is hardly possible to keep them in a state of wholesome cleanliness; a circumstance we deeply deplore, as putting together all descriptions of offenders; an evil easily obviated, in the opinion of the jury, (and in which opinion they are borne out by Mr Brown, the keeper of the prison,) if more space could be allotted, whereby a classification of the prisoners might be effected, to the evident improvement of their health, comfort and morals.

"The vast number of juvenile depre-

datory circumstance of four being under sentence of death in the condemned cells, and in irons, the youngest only nine years of age, and the oldest 12, connected with the circumstance of very many of them previous to trial associating with the profligate, hardened, and abandoned, presents to us the idea of the improbability of a reform, which a more judicious and attentive confinement might produce.

"The deplorable situation of the male prisoners, with respect to clothing, particularly the juvenile part, made a melancholy impression on our minds. Many were without shoes or stockings, others without shirts, and one almost in a state of nakedness—circumstances we earnestly recommend to the consideration of those who arrange and manage the general business of the prison; and we are of opinion, that the general health of the prisoners of both sexes would be materially improved, if an allowance of soap was granted for that purpose.

"In visiting the Infirmary, the Grand Jury feel great pleasure in announcing, that every necessary attention appears to have been paid to the sick, and those in a convalescent state, and to the general health of the prisoners.

"We further beg leave to state to the Court the gratifying pleasure we received in witnessing the exertions of Mrs Fry, and the ladies who so kindly assist her in attending to and instructing the female prisoners, whose reformed deportment, and cheerful acquiescence to their wishes, demonstrated with

a force no language can describe, the affection these unfortunate women entertain for these humane, intelligent, and active females.

“John Gann, Foreman of the Grand Jury.”

**SAVINGS BANKS.**—We have always great pleasure in recording the success and progress of this most valuable institution. In almost every corner of our own country, a bank has been established, some thriving more than others, but all, we believe, making gratifying progress, and producing beneficial results. In England the measure has been most successful. By an act passed only about six months ago, certain advantages are held out to banks for savings in that country; and, among other regulations, a fixed rate of interest may be obtained for the money deposited, by remitting it to the commissioners for reducing the national debt, who purchase stock with the amount. This arrangement does great credit to the administration, which agreed to such a measure; and the country is much indebted to the enlightened supporter of this institution, Mr Rose, who projected and arranged it. Already ninety-five banks in England and Wales have enrolled themselves under the act; and, before the end of the year, above three hundred thousand pounds sterling had been laid out on the purchase of stock, on account of these banks.

The success of the three great institutions in the metropolis has exceeded the most sanguine expectations of their projectors. The Western Bank, opened April 1816, has 1900 depositors, and has received 16,300*l.*; the London Bank, opened July 1816, has 1700, received 16,500*l.*; the Southampton-Row Bank, opened February 1817, has 950, received 11,000*l.*; besides many minor banks in the metropolis itself, and in most of the villages in the suburbs.

As by the Act of Parliament already noticed, no bank can take the be-

nefit of it, unless it be a regulation of the banks, that no depositor shall be entitled the first year to deposit above one hundred pounds, nor any subsequent year above fifty pounds, we have the full assurance that the above large sums have been deposited by that class of persons for whose benefit these banks were projected.

The system is also spreading in Ireland, particularly in the north.

After this, we turn with some satisfaction to the banks in Edinburgh, the latest account of which has just been given to the public, in the fifth report of the Society for Suppressing Beggars. From this account it appears, that, from the time this bank was opened, in January 1814, down to 30th September last, the sums which have been deposited amount to 11,945*l.* 19*s.* Of this sum there has been drawn out 6556*l.* 2*s.* 6*d.*; and there has been deposited, on interest notes of ten pounds, and given to different contributors, according to the rules of the bank, 2140*l.* The difference between these two last sums and the first, being 3249*l.* 11*s.* 5*d.*, remains deposited with the Savings Bank. After remarking, that the sum paid in, during the first nine months of the year 1817, amounts to 3628*l.* 19*s.*, the Report concludes with observing, “This statement is very satisfactory; for, notwithstanding the severe distresses of the labouring classes during the last year, the sums paid in, during these last three quarters, have been greater than during any preceding period of the same number of months.”

— The city of Moscow is risen from its ashes. The Kremlin is entirely rebuilt; it not only preserves its ancient features, but is also considerably improved. The ramparts are replaced by magnificent walls, and boulevards surround the different sections of this great city. Several palaces are restored to their former grandeur; the ancient churches are re-established in the

same forms which they had before. There are 70,000 masons, carpenters, and other workmen, employed throughout the city. The new palace of the Kremlin, which was built, as it were, at the command of an enchanter, has been enlarged by the addition of a wing, in which the members of the suite of the Imperial Court are now lodged. This wing was not begun in July last, yet it is now fully inhabited.

The road between Petersburg and Moscow is covered incessantly with carriages and waggons of every description. Travellers are numerous, and at present there are several immense packages of moveables sent by this road to Moscow, from Petersburg, for the first establishment of the Court at the former place.

The University at Moscow is also repairing. Its ancient buildings are restored; its old funds are augmented, and new funds are bestowed upon it, in order to repair the Cabinet of Natural History. A new library is erected, to hold 65,000 volumes; and the apparatus for the mathematical and physical sciences are reinstated. The list of its professors is to be considerably enlarged.

—The number of wolves killed in the 33 departments of France, from the 1st of January 1816, to the 1st of January 1817, was 1894 males, and 522 females. In the department of Aude, besides 104 of these animals, there were killed three bears and a tiger.

In the district of Avalon, a young girl, 17 years of age, has been carried off, last month, by several wolves. Some persons, assembled by the cries of the unfortunate girl, quickly went in pursuit of them, and had the good fortune to come up with them, and make them abandon their prey. On the same day, and in the same place, a child of seven years was also carried off, and some remains of the dead body were found at a short distance. In the space of a fortnight, twelve of these fe-

rocious animals have been destroyed by the inhabitants.

—The ravages caused by the wolves in the department of the Yonne, for almost two years, and which, for the last six months in particular, assumed every day a more distressing character, have completely ceased. By means of the almost general poisoning, ordered by the Prefect, a very great number of these animals have been destroyed; and every thing induces a belief that this department is happily delivered from those whose frightful voracity has deprived so many mothers of their children.

—This month has presented a melancholy detail of loss of shipping on the coasts of Britain and France, almost without parallel. In particular, we may mention the loss of the Indiana transport, with 193 persons on board, off Ushant, on the 8th and 9th of the month. She was bound from Plymouth to the Spanish main, with adventurers to join the patriot cause; and every one of them, as well as the crew, and several women and children, perished. His Majesty's sloop of war Martin, was lost near Kilrum, on the 7th, and a number of the crew were drowned. On the 14th, the inhabitants of Montrose beheld the melancholy spectacle of a packet, the Forth, from Aberdeen to Leith, dashed to pieces at their harbour mouth, and the crew and passengers, 21 in number, perish, without the possibility of affording them succour. And on the 19th, the brig Gleaner, of Aberdeen, while attempting to take that harbour, was swallowed up, in view of innumerable spectators on the pier. The gales were still more destructive to the north of Aberdeen, and among the Orkney Islands, where many wrecks have come on shore, and almost in every case with the loss of all on board.

—It appears that a combination had existed among the colliers in the counties of Lanark, Ayr, Renfrew, Dum-

barton, Stirling, Clackmannan, and Linlithgow; having for its object a rise of wages. As Tollcross was the focus of the conspiracy, a warrant was granted by the Sheriff, and early on Saturday morning it was executed by a party of peace officers, aided by a detachment of dragoons, who seized Gray Dennistoun Edmiston, and secured a vast number of books and papers belonging to the association. Edmiston has since been admitted to bail.

— A report has just been published by the trustees for the creditors of the town of Aberdeen, which states, that the property under the management of the trustees will afford a yearly revenue, sufficient not only to pay interest at five per cent. on every debt, but also to leave a considerable surplus. It states, that the whole debts amount to 230,000*l.*, the interest of which, at five per cent. is 11,500*l.*; whereas the present revenue, feu-duties, &c. amount to 12,517*l.* 8*s.* 8*d.* leaving a surplus of 1017*l.* 8*s.* 8*d.* besides the value of the cultures of the town's mills, and other subjects. In estimating the value of this property, the trustees did not take the amount that it would produce, "if feued or sold off in small portions, in the course of a great many years, but such as it may yield, with a prospect of advantage to the purchasers, if brought into the market at the present moment;" and therefore the property is estimated much below its real value.

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## FEBRUARY.

**SCOTTISH REGALIA.**—It is well known, that, by the Act of Union, it is specially provided, that the Crown, Sceptre, and Sword of State, belonging to the kingdom of Scotland, are appointed to remain and be preserved in that kingdom; and that these royal symbols were carefully deposited in a

strong chest, in presence of the Officers of State and other personages of high dignity, as well as the Commissioners of the Earl Marischal, who claimed, by ancient custom, the custody thereof; and that the chest was placed in a chamber in the castle of Edinburgh, called the Crown-room, which was formally and strongly secured. Nevertheless, a strong report went abroad, that, during the troublesome times of 1715 or 1718, or, as some say, so late as 1745, the Regalia of Scotland were transferred to London; and it is certain, that, at the Jewel Office in the Tower, a Crown has been exhibited among the other treasures, supposed and alleged to be that of Scotland. Others have traced this report to the artifices of the Jacobites, whose aversion to the Union is well known, and who did all they could to excite throughout Scotland a feeling, that the country had been degraded, and her privileges destroyed, by that memorable treaty.

Some years since, a Commission was issued to the Officers of State of Scotland, and other eminent persons, to open the Crown-room, in order to search for certain records, which, it was supposed, might have been deposited there. The room was opened accordingly, and all things seemed to be in the same condition in which they might have been left in 1707. The dust of a century lay on the floor, and on the lid of a huge chest, answering the description of that in which the Regalia are stated to have been deposited. It was even remarked by an observer, equally acute and accurate, that the dust (about six inches thick) presented a surface perfectly uniform and level, which could not have been the case had the chest been opened at any great distance of time after it had been placed in the Crown-room, since, in that case, a large quantity of dust, displaced from the lid of the chest, must have been lying around.

it in heaps. But the matter was left to conjecture; for the Commission only warranting a search for records, of which none were found in the Crown-room, the Commissioners did not consider it as authorizing them to open a chest, which, if it contained anything at all, held not the records, but the Regalia of our ancient kingdom.

The keen and irritating feeling of national jealousy, which once attached an important point of honour to the existence and preservation of these *Cimelia*, as the visible and tangible symbols of Scottish independence, had been long lulled to rest by the merging of our separate national concerns in the general interests of Great Britain. Yet there is a feeling of mysterious curiosity with which we are tempted to regard bolted rooms, chests which we have locked for centuries, and the fate of those symbols which anciently represented the Royalty of Scotland.

A Commission, under the Sign Manual, was recently issued to his Grace the Duke of Buccleugh and Queensberry, Lord Lieutenant of Mid-Lothian, with the principal Officers of State for Scotland, the respective Heads of the Courts of Law and Legal Bodies, the Lord Provost of Edinburgh, and other gentlemen recommended by official situations of importance, directing them to open the Crown-room, and proceed to open the chest in which the Regalia are said to have been deposited, to make search for the same, and to report the issue of their inquiries to his Royal Highness the Prince Regent.

The Commissioners proceeded to this examination on the 4th February, when the King's smith and carpenter removed the whole of the fastenings of two doors, one of oak and the other of iron; and it was clearly ascertained that they had not been opened since the last Commission in 1794. Nothing

was found in the room but a large oblong oaken chest with two locks on it; and as no keys to them could be found, it was with some difficulty forced open, when it was found to contain the Crown, Sceptre, and Sword of State of Scotland, in a state of perfect and splendid preservation. There was also a silver rod of office, of which the peculiar use is not yet ascertained. So soon as the existence of these venerable and precious reliques was ascertained, the royal standard was hoisted, and the soldiers cheered a salute, which was heartily echoed from the Castle-hill. The Regalia were replaced in the chest, which was again properly secured, until a report can be made to the Prince Regent on the subject; when it is expected that his Royal Highness will authorize the public exhibition of these ancient emblems of the national independence of Scotland.

PARIS, Feb. 12.—ATTEMPTED ASSASSINATION OF THE DUKE OF WELLINGTON.—In the night between the 10th and 11th of February, as his Grace the Duke of Wellington was returning home in his carriage, a pistol shot was fired, which did not strike him, nor even the carriage. The ball was in vain searched for; it could not be found. It is said that the assassin came out from the sentry-box on the left, and the sentinels, who were beneath the coach-doors, rapidly followed the trace of him. The darkness prevented them from seizing him. From information received by the police, it is thought that the perpetrator of this dreadful act will be discovered.

—*Moniteur.*

A pistol shot was fired at the carriage of the Duke of Wellington last night, at one in the morning, as his Grace was returning to his hotel. It did not strike him. Considerable search was made, but the ball could not be found. At the moment the

shot was fired, the servant, who was behind the carriage, saw, in the darkness that prevailed, a man, who precipitately ran away, and of whom he soon lost sight. The two sentinels, who were at the great gate of the hotel, immediately went in pursuit of the man whom the servant had seen, but they could not overtake him. The police have made the greatest efforts to discover the perpetrator of this act, and, it is said, they have obtained a clue, which may lead them to the discovery.—*Gazette de France.*

We are sorry to have to announce to our readers an attempt made at Paris, on Wednesday last, upon the life of the Duke of Wellington. His Grace's carriage was entering the gate of his hotel, in the Rue des Champs Elysees, when some wretch, who seems to have slipped from behind one of the sentry-boxes standing at each side of the gateway, fired a pistol at the Duke, though with so bad an aim that the bullet did not even strike the carriage. The sentries gave the alarm, and the guard turned out, when the villain was pursued by the soldiers, and by servants of the Duke's household; but, running off at full speed, he was favoured by the darkness, and got clear away. His Grace heard the report of the shot, which he supposed to arise from the accidental discharge of a musket of one of the sentinels. It is stated in a letter, that the Duke had that day given a diplomatic dinner, after which he went to an assembly at the house of Lady Crawford, in the Rue d'Anjou, whence, it is conjectured, the assassin must have watched his return home, and accompanied his Grace's carriage through the streets; the coachman having observed a man running with all his might, as if to reach the gate of the hotel before the carriage should arrive there. The French Government had assigned to the Duke of Wellington a guard of

honour, consisting of twenty-four men, and commanded by a subaltern officer. The legion of the Isere had furnished the guard on that day. Two sentries are posted at the front of the hotel towards the street, and two others, at night, towards the side of the Champs Elysees. In spite of these precautions, the assassin had the boldness to steal behind the sentry-box, as was before mentioned, and thence to fire so close to the entrance, while the carriage was passing rapidly through the gateway, that the ball flew across the court-yard, and struck the wall of the hotel. This atrocious enterprize produced a deep feeling of disgust and indignation at Paris. The moment the King heard of it, he sent the Duc de Richelieu and the Comte de Cazes to visit the Duke of Wellington at his residence, and to express to his Grace his Majesty's horror at so base and flagitious an attack upon his person. His Grace received the visit of all the King's ministers, and of a crowd of other distinguished persons, who came to congratulate him on his escape, and to testify the interest they took in his safety. Before the post left Paris, it was said that the police had obtained important information, and that a certain foreign officer had become the object of suspicion; but farther and more positive intelligence on that head was expected.—*Times.*

PARIS, Feb. 11.—An incessant crowd of visitors, comprehending all that is illustrious and respectable at Paris, have succeeded each other at the hotel of the Duke of Wellington, to testify their regret and indignation at the imminent peril to which his days were exposed. A letter from Lord Kinnaird to General Sir G. Murray, has obtained great publicity. Lord Kinnaird expressly declares, "that one of the voluntary proscripts now at Brussels, (whose name was not on any list) waited on him, and proposed to

reveal a plot which menaced the life of the Duke, and to cause the apprehension of an assassin who had never ceased tracking him for the last three months, on condition that his Grace would pledge his word to effect the recall of three exiles (the intimate friends of the spokesman). As to myself (added he) I have personally no favour to demand. I have collected my scattered property. I have formed new habits, nor do I propose quitting the country I now inhabit. Should it, however, be necessary, I will myself set out for Paris to prove what I advance, provided the Duke or M. de Cazes will promise to allow me to return unmolested. I make this revelation with so much the less regret, that the blow has not been prepared by the the party whose interests I suffer for."

It is not superfluous to observe, that this man must be a Buonapartist, or at least an anti-Bourbonist. The ulterior *éclaircissements* of his lordship are expected with anxiety.

**MLANCHOLY SUICIDE.**—On Friday the 13th, it was made known, that Sir Richard Croft, the celebrated accoucheur, had died suddenly, at the house of a lady in Wimpole Street (Mrs Thackery), whom he was attending in child-bed. The circumstance produced no ordinary sensation, as it was known, that, ever since the fatal termination of the accouchement of the amiable Princess Charlotte, Sir Richard has laboured under the most severe mental affliction. The unfortunate circumstance preyed upon his mind, and his friends have long observed symptoms of uneasiness, which alarmed them, and probably prepared them for the event that has happened. Various rumours were circulated on Friday, and, among others, his name was implicated in a most delicate affair, that has occupied the attention of the highest circles for some days past, and to which we cannot

give the smallest credit. The utmost industry was also used to suppress all knowledge of the manner of Sir Richard's death. The reporters were prevented from access to the inquest, a prohibition which the Coroner was not justified in authorising, since the law of the coroner was undoubtedly intended to operate as a preventive of the dreadful and abhorrent crime of suicide; a crime which is probably rendered more frequent, by the concealment too often arranged, and by the lenity of the verdicts. By this exclusion, we can only state the circumstances as communicated to us by a witness. The inquest was taken at the house, No. 86, in Wimpole Street, before Thomas Stirling, Esq., and a jury.

Sir Richard had been called in to attend the accouchement of Mrs Thackery, the wife of the Reverend Dr Thackery, of No. 86, Wimpole Street, Cavendish Square, on Sunday last. The lady's labour was tedious; and on Thursday morning her situation became so critical, that Sir Richard wished to have farther medical advice and assistance. Another gentleman having been called in, it was their opinion that the result would prove fatal. This desperate aspect of the case was observed to have thrown Sir Richard into great agitation.

An apartment in the floor above that occupied by Mrs Thackery, was appointed for the residence of Sir Richard. In this chamber there were two pistols belonging to Dr Thackery, hanging within the reach of Dr Croft. Sir Richard retired to bed about half past twelve o'clock on Thursday morning; about one o'clock Dr Thackery heard a noise, apparently proceeding from the room occupied by Dr Croft, and sent a female servant to ascertain the cause; she returned, saying, she found the Doctor in bed, and conceived him to be asleep. A short time

after, a similar noise was heard, and the servant was again sent. She rapped at the door, but received no answer. This circumstance created alarm, in consequence of which the door of his apartment was broken open. Here a shocking spectacle presented itself. The body of Sir Richard Croft was lying on the bed shockingly mangled; his arms extended over his breast, and a pistol in each hand. One of the pistols had been loaded with slugs, the other with ball. Both were discharged, and the head of the unfortunate gentleman was literally blown to pieces.

Doctors Latham and Baillie, and Mr Finch, proved, that the deceased had, since the death of the Princess Charlotte, laboured under mental distress. He had repeatedly been heard to say, that this "lamentable circumstance weighed heavy upon his mind, and he should never get over it."

Mr Finch said he was well aware that the deceased was labouring under a derangement of intellect for a considerable time past, and he should not have reposed trust in him on any occasion since the lamented catastrophe alluded to.

The Jury, which was summoned at eight o'clock, having heard the whole of the evidence adduced, retired about ten, after the Coroner (Mr Stirling) had summed up the evidence with suitable comments. About eleven o'clock the Jury returned the following verdict—"Died by his own act, being at the time in a state of mental derangement."

About ten o'clock a hearse arrived, to convey the body to the house of the deceased, in Old Burlington Street. He was in his 57th year. Lady Croft, who survives him, has been for some time in a very delicate state of health. Her ladyship is a daughter of the late Dr Denman, and sister of Mr Denman the barrister, who so greatly distinguished himself on the late state trials

at Derby. He has also left three sons and a daughter. One of the sons is in the army, in which he served with great éclat in the late war on the continent.

Mrs Thackery was safely delivered about eight o'clock the same morning, by Mr Herbert, an occasional assistant of Sir Richard Croft. The lady was kept ignorant of the fatal event, and is in a fair way of doing well.

14th.—A murder of a most diabolical nature was perpetrated at a quarter past eight o'clock on Saturday night, at 24, Union Street, Mary-la-Bonne. The name of the assassin is William Haitch, a native of Staffordshire, lately in the employ of Mr Tiltman, a salesman in Covent-Garden market, but has been since out of employment. The wretch was married to the deceased Mary Minting, who was a fine young woman, only 18 years of age in November last, and, after being with her five days only, he deserted her. She ascertained shortly afterwards, that he had a wife and three children living. Her father and mother took their daughter home again, and she had had no communication with the murderer since. Saturday, a letter was received from Haitch, addressed to Mary Ann Phillips, appointing the deceased to meet him at No. 19, Tottenham Place, and stating that he was in distress, and wanted a trifle of money to enable him to leave the country. Phillips lodged in the house, and she communicated the contents of the letter to the deceased, who wrote to state that she had not the means of relieving him. About eight o'clock the assassin called at the house, and inquired for Rebecca Clerk, another of the lodgers; and she conveyed a message to the deceased, who was there, by calling her out from her parents, and stating that she wanted to speak with her. She left them together in the passage of



the ground floor; and before she got up stairs into her room, a noise and struggling caused her to return. She found the deceased on the floor, unable to make one exclamation, the monster having severed the head from the body, with the exception of the sinews in the pole of the neck. The wound must have been inflicted with a razor. In escaping, he assasin knocked down a bry in the street. He had on two hats, and wore a fustian coat, but he had a blue coat under his arm, which the boy saw him put on in the street. From the marks of blood, it appeared that the unfortunate deceased was held against the wall when the diabolical act was committed.

20th.—Haitch, the murderer, who was to have taken his trial this morning at the Old Bailey, at half-past eight o'clock, was discovered to have taken a razor and nearly severed his head from his body. The wretch, it seems, had shaved himself last night, but how, or in what manner, he had got possession of the deadly instrument, we have not yet been able to learn. A jury has been summoned to investigate the cause of the prisoner's death.

The following facts were stated before the Coroner:—

James Manning deposed, that he was wardman to the divisional apartment in which the prisoner was confined. About half-past eight o'clock on Friday morning, the deceased, with several others, had been called down preparatory to their being brought into the Court of the Old Bailey to be brought to trial.—The deceased, in passing along the yard, made no observation, but stepped quickly into the privy. About two minutes had elapsed, when a person named Whitfield, belonging to the ward, called out to Haitch; no answer being made, he run to the door of the privy, which he at first found difficult to open, but fur-

cing it, he beheld the deceased upon his knees, with his head reclined upon his arm, and with the latter upon the seat. The head of the deceased was almost severed from the body. A razor, covered with blood, was lying close by on the floor, and the place was filled with gore.

Mr Brown, keeper of the prison, here addressed the Jury. He said, that as a heavy responsibility was naturally attached to him, it would, perhaps, be deemed necessary that he should account for the possession of the razor by the deceased. Reports upon the subject had been circulated, and, among other things, it was said that the instrument had been brought in and delivered to Haitch by his last employer. When the deceased was brought into the prison, he inquired of the Bow-Street officers whether he had any thing dangerous about him. He was answered no, as a strict search was more than once made of his person. He desired Bishop, however, another of the turnkeys, to minutely examine him, which was done, and nothing found. The deceased, on Wednesday afternoon, smoked his pipe, and evinced great levity. He gave him a religious tract, and endeavoured to impress upon him the awful situation in which he was placed. The deceased returned the book next morning, saying he had perused it with great attention, and had derived much satisfaction and consolation.

**MURDER OF A WIFE BY HER HUSBAND, AND HIS SUBSEQUENT SUICIDE.**—Friday morning, the 20th, a discovery of a most dreadful description took place at Tottenham. A man named John Knighton, aged about 28 years, who resided in a new-built house near Tottenham-Chapel, and was married on Saturday month to a young woman who lived servant to a gentleman named Wild, who was about the same age, were found in their house

with their throats cut in a dreadful manner. The house, it appears, had been shut up ever since Friday week ; and it was supposed by the inhabitants, as they were a new married couple, that they had gone from Tottenham to spend a few days. Several of the inhabitants called at the house on Monday last, and on every subsequent day in the week, and still found it shut up ; but they had not the most remote idea of what had taken place. The young man was remarkable for his sobriety and good conduct ; his wife bore a good character, and had for some years lived in a family at Tottenham. Some years ago she had a child by a gentleman. Whether her husband was not acquainted with that circumstance until after he married, we have not been able to learn. The father of the young man deceased, lives at Dawlish, in Devonshire, near Exeter.—Knighton had been in a melancholy state of mind for near a fortnight before the dreadful catastrophe took place, and his mental faculties were very much impaired ; he talked incoherently, and could not attend to his business. He was foreman to a master cabinet-maker and carpenter at Tottenham, and his employer wondered that he did not come to his work as usual ; but from his being so recently married, he supposed that he had taken his wife, during the remainder of the honey-moon, to relations whom he had spoken of, and of whom he said he expected to have a considerable sum of money, for the purpose of setting him up in business ; and no suspicion entered his head, of any thing having occurred of so serious a nature. On Friday, about one o'clock in the day, the proprietor of the next house to that in which the deceased resided, was on the roof of the house, giving instructions to a workman below to repair it. He observed also, that the house the deceased lived

in was in a very bad condition ; there was a hole through the tiles, and the water had run through the roof. He looked through the cavity, and observed some blood on the top of the staircase ; he immediately thought of the premises having been locked up in so extraordinary a manner for a week, and he felt convinced that something of an unusual nature had occurred. On looking again through another part of the roof, he thought he discerned a human form on the floor, and a quantity of blood on the ground. He went immediately and communicated his suspicions to some persons in the neighbourhood ; the constables were sent for, and Mr Roberts, the Magistrate and Vicar of Tottenham, was informed of what had been discovered ; they went in a body to Knighton's house, and broke open the door, and went up stairs into the chamber, where they found Knighton and his wife with their throats dreadfully cut, his head nearly severed from his body ; and besides the cut on her throat, she had a deep one on her face and chin. She lay on the bed covered with gore ; she had only her night-clothes on. He was in a sitting posture—his head leaning against the bedstead. A bloody razor lay between him and his wife. It appeared that he had offered some violence towards his wife ; she had resisted, and instead of his cutting her throat, as he appeared to have attempted in the first instance, he cut her with a razor across the face, and when he had overpowered her, effected his purpose and cut her throat ; after he had perpetrated that horrid crime, he laid violent hands on himself, and, by one stroke, divided the main arteries of the neck and windpipe. The blood had flowed from the wife all over the bed on the ground ; and from his neck the blood had run along the floor to the staircase, and down the stairs. The sight of the man

was truly terrific—his eyes were wide open; and one of the constables was so shocked at the sight, he nearly fainted, and was taken out of the house very unwell.

—The bargain for the estate of Strathfield Say has been at length completed, and it is now the property of the Duke of Wellington. There was an obstacle to the negotiation, about a month since; but this difficulty, relating to some cottages, has been removed. Upon a survey of the timber, it was found to be worth 170,000*l.*, a sum much exceeding the Duke's expectation, and also beyond the capital which it was agreeable to him to employ in the purchase of wood. Government removed this obstacle by agreeing to take 120,000*l.* worth of the timber for the dock yards. The 4000 acres, of which the estate consists, are nearly adjoining, or in the vicinity, of the great estate of the late Tylney Long, Esq., now the property of the Duke's nephew, W. P. L. Wellesley, Esq. They are also in the neighbourhood of the large property of Lord Longford, a relative of the Duchess. An estate of about 1200 acres, which lies within three or four miles of it, was offered for sale not long since, and may ultimately be added to the Duke's possessions in that quarter. Another circumstance which gives an appropriate value to this territory, is, its vicinity to the Military College at Sandhurst; the pupils of which, will thus have always in their view the splendid rewards of one who has rendered such eminent services.

**ALGIERS, Feb. 25th.**—The state of things here becomes more dreadful every day. The plague continues to rage in a terrible manner. This distemper, of which above 50 persons die daily in the city, lasts in general only 24 hours, without any previous indisposition, without any symptoms of the disease having been felt. Other persons

frequently fall victims to death from the infected air, and the use of unwholesome food. The plague rages also in the neighbourhood of Algiers, and farther in the interior of the country. To this may be added, a mortality among the cattle. Besides these dreadful scourges, we have other sufferings.

The Dey causes daily, and without respect to persons, people to be arrested, executed, or banished, and graciously seizes on their property. The Dey increases the number of his body guard by blacks, and has planted before his castle a strong line of 24 pounders, which commands the city.

Several magnificent buildings are erected for the Dey and his family. In the midst of the general misery, his Highness frequently amuses himself with balls and music. The inhabitants, particularly the rich Jews, have been obliged to pay a contribution of 100,000 piastres, and twelve of the most beautiful girls of the latter; some have, however, ransomed themselves for different sums, from 4000 to 8000 piastres.

—Government, it is understood, have made some alterations, and further regulations on the subject of persons going out as settlers to the British settlements; and these, in a printed form, have been issued from the Secretary of State's Office for the Colonial Department. It is announced, that no encouragement will, in future, be given to individuals who wish to go as settlers, beyond the grant of 25 acres of land, in the colony to which they may proceed. Emigrants must pay for their own passage, and will receive no assistance from Government after their arrival at the place of destination. The Secretary of State announces, however, his readiness to receive proposals from persons who may be desirous to enter into an understanding, either personal.

ly or by agents, for settling and bringing into cultivation, in British North America, or at the Cape of Good Hope, of much larger grants of land than 25 acres; which grants are to be regulated by the agents of Government, on the following conditions:—The grants of land will only be made out to those who will enter into an engagement, to take out and locate upon the land at least ten persons, as settlers; and on this stipulation being complied with, a quantity of land will be granted to the settler. This sum is to be paid merely as proportion of 100 acres for every settler thus agreed to be taken out.

28th.—DINNER TO MR KEMBLE.—Several of Mr John Kemble's friends, anxious to express their admiration of his transcendent talents, by requesting his acceptance of some memorial of their affection and regard, that his feeling of their esteem might not terminate with his present temporary residence in Edinburgh, requested the honour of his company to dinner; and Mr Kemble having assured them, the very high gratification such a meeting would afford him, the party was fixed for Saturday last, and comprised several of the first noblemen and most distinguished characters of Edinburgh. The chair was taken at six o'clock by Francis Jeffrey, Esq.—Mr Kemble taking his seat on his right hand, and Professor Playfair on his left, and was most ably assisted in croupiers by Walter Scott and John Wilson, Esqrs.

After the removal of the cloth, and drinking the healths of our revered Sovereign and his Royal Highness the Prince Regent, Mr Jeffrey rose, and in his usual strain of eloquence, proposed the health of John Philip Kemble, Esq. and in the name of the company, requested his acceptance of a gold snuff-box, as a very sincere, though inadequate token of their high respect for

his talents. He then begged to read the inscription which he proposed should accompany the box, and which was as follows:—

TO  
JOHN PHILIP KEMBLE, ESQUIRE,  
in the first year of his retirement from the  
STAGE,  
this Box was presented by  
FRANCIS JEFFREY, ESQUIRE,  
in the name of fifty inhabitants of Edinburgh,  
as a slight token  
of their sense of those important services which  
his taste and his example have rendered  
to the British Drama;  
in grateful remembrance of the exquisite delight  
which they have received from his talents  
as a Performer; and  
as a testimony of their high esteem and  
regard for his Private Character.  
28th of February 1818.

Mr Jeffrey then concluded by stating, that the feelings which had dictated the present happy meeting were more elegantly expressed in the paper which he had just read, than he was capable of uttering—they were the sincere and heartfelt feelings of respect, gratitude, and esteem—respect for him as a scholar and a judicious critic—combining professional knowledge and classical taste in a degree hitherto unequalled—gratitude for the delight he has so often imparted to the audience of Edinburgh—and esteem for his virtues as a man of independent character and of upright conduct.

After a short pause, Mr Kemble rose, and as nearly as our memories serve us, addressed the company in the following words:—

Gentlemen—For the very high honour which you have just now conferred upon me, accept my sincere and grateful thanks. That my talents in public life, and my private character, have merited the esteem you have this day been pleased to evince, is, and ever will be, the source of the highest gratification to me. The gentleman, to whose elegant manner of presenting this flat-

tering token of your regard I am so much indebted, has been pleased to designate it as insignificant and inadequate—to me it will ever be most truly valuable, as constantly impressing upon my mind one of the proudest moments of my existence. I am very unaccustomed to extemporaneous delivery—actors are so much more in the habit of giving utterance to the thoughts of others than in embodying their own, that we are much in the same situation with those animals, who, subsisting by the aid of others, are completely lost, when abandoned to their own resources. I shall not, therefore, intrude farther upon your time; but, requesting you to believe that no words of mine can sufficiently convey the deep and lasting sense I entertain of all your kindness, I request your permission to propose the health of Francis Jeffrey, Esq.

Mr Jeffrey returned his acknowledgments for the honour which had been done him, and proposed the memory of the Princess Charlotte, which was drunk with every feeling of affectionate regret.

Among other toasts, the health of Mrs Siddons, introduced by a most animated and eloquent address from Mr Walter Scott,—also the health of Mrs H. Siddons, and success to the Edinburgh stage, were drunk, and were received with every demonstration of respect and delight.

Mr Murray then rose, and, in the name of Mrs H. Siddons, returned his thanks for the honour that had been paid his sister; and expressed the very high gratification she had ever derived from the attention and esteem of the citizens of Edinburgh. Mr Murray then left the room to attend his professional duties, when his health was proposed by Mr Jeffrey.

During the evening, the healths of Lord Holland, who presided upon an

occasion somewhat similar last year in London, Walter Scott, Esq., Professor Playfair, Henry Mackenzie, Esq., were drunk with every mark of esteem and admiration.

Mr Wilson introduced the memory of Shakspeare by an address replete with fire and animation; and availed himself of the opportunity, by paying some deserved and sincere compliments to the illustrious guest of the day.

The health of Lord Byron was also given by the same individual, with all the glow and enthusiasm which one great poet ever must feel for such another.

The immortal memory of Burns was then proposed, with great effect, by Walter Scott, Esq.

The memory of Garrick, by Colonel Macgregor, and various other sentiments of respect to living and departed talent, marked the progress of the evening, which was passed in a manner worthy of the distinguished individuals who honoured the meeting with their presence.

## MARCH.

PARIS, March 2.—Lord Kinnaird is still at Paris, at the house of the Duke of Wellington. His fellow traveller, whose name is not mentioned, is at the *Conciergerie*. The noble Lord has had a hearing before one of the police judges, and so has the Count de Croquembourg. They speak of the arrest of a man named Nquin, upon whom suspicion had fallen. He was taken in Burgundy on his road to Lyons, and was conducted to Paris. Letters from Dijon state, that when he was taken, he said to the officer of the gendarmerie, "What! are you looking for the assassin of the Duke of Wellington?"

**THE HURRICANE.**—On Wednesday night a most dreadful hurricane, at times accompanied with lightning, took place between eight and nine o'clock, and continued at intervals till nearly three on Thursday morning. Some idea of the strength of the gale may be formed, from the circumstance of its having blown a piece of lead, weighing more than two hundred weight, from the roof of Surgeons' Hall, in Lincoln's-Inn Fields. We understand that not only a great many shells of houses, but houses which had been slightly built in the vicinity of the metropolis, are entirely levelled to the ground, particularly in the east. Many houses were entirely unroofed, and there was scarcely a street in which might not be seen the fragments of fallen chimnies, tiles, &c. A very large unfinished building, close to the Coburg Theatre, belonging to Mr Short, was blown down with a tremendous crash. Trees in St James's Park are blown down, houses were unroofed during the storm, and chimney-pots were falling in almost every direction. Considerable damage has been done to the shipping in the river. Several of the mail-coaches did not arrive till two hours beyond their time, and many of the heavy coaches were four hours later than usual. Three houses, almost finished, near the turnpike-gate in the New Cut, near Waterloo Bridge, fell about eight o'clock last night with a tremendous crash, occasioned by the gale. During the prevalence of the storm, the wall of the old building on the eastern side of the avenue to the Waterloo Bridge came down with a dreadful crash.

Between half-past ten and eleven o'clock, the following occurrence took place at the house of Lady Hayes, No. 18, Somerset-street:—The servants had just sat down to supper, when the door bell rang. The foot-

man rose for the purpose of opening it, but had proceeded only a short distance along the passage, when he was alarmed by a loud crash, resembling that of the falling of a house. He instantly ran back, but was unable to proceed farther than the end of the passage; for where the kitchen stood but a moment before, was now one mass of ruins. Three of the female servants could not be found. After some time the body of Mary Mauntie, the cook, was taken out, the head dashed to atoms, and the body greatly disfigured; she was quite dead. The bodies of the house-maid and laundry-maid were also dug out, but some signs of life were apparent in both, although they were most dangerously bruised. One had her thigh broken, and was burnt about the shoulder; the other was much worse burnt, but had no limb fractured. To develop to the reader the circumstances that led to this shocking catastrophe, it will be necessary to observe, that the kitchen of Lady Hayes was in the yard, at the back of the dwelling-house, and in the rear of this again stood Calmel-buildings. A wall had been raised to the height of about 60 feet, for the purpose of preventing theft, and blocking the communication between Calmel-buildings and the houses in Somerset-street. In the course of the evening, the wind shifted, and blew along Calmel-buildings full against the wall, which at length fell in, and by its weight bore down the roof of the kitchen. Part of the leads fell against the wall, but in that situation, that any persons under it, although unable to extricate themselves, might respire. This was the situation in which the house-maid and laundry were; but having fallen at the fireplace, were exposed to the most horrid torture from the heat. The large beam that supported the kitchen and went across the roof, was found broken

in two; and as the body of the cook was found near this spot, it is supposed that it must have fallen on her and caused instant death.

It is with the deepest regret we learn from almost every part of the coast, that the most dreadful damage and losses have been occasioned by the hurricane of Wednesday last. We are happy, however, to see that the crews in most cases have been saved.

Letters from Deal say nothing of any damage done to the guard-ship or any other of his Majesty's ships; one revenue cutter was run down by a Swedish vessel, but all the men were saved except one.

The gale of wind was at Portsmouth more violent than ever was known, the tide rose six inches beyond its greatest height at any former time, and there was so enormous a difference between the morning and evening tide, as five perpendicular feet. The stairs, piers, and sea walls about Hasler and South Sea Castle are considerably damaged. The whole of that beautiful and useful work, the New Pier at Ryde, is said to be wholly destroyed. The public will regret the loss of this work, which besides its public utility, was one of the most delightful promenades which any watering-place in the kingdom could boast. We have not heard that any lives were lost in this neighbourhood.

"*Messina, March 8, 1818.*—We have lately had three or four shocks of earthquakes, but they were very slight; indeed I felt none of them myself. At Catania, and several other places in the neighbourhood of Etna, however, they have been severe, and the effects very distressing; many houses have been destroyed, and lives lost. For three days during the last week, our theatres were shut, and the public prayers were offered up in the churches as a thanksgiving for our escape."

"*March 15.*—A friend of mine is

just returned from Messina by way of Catania and Girgenti; he gives a most melancholy account of the former. On his approach to the city, which he considers finer than any he has yet seen (N. B. he has never seen Edinburgh,) he found that the greater part of the inhabitants had left their houses, and were living in wooden huts erected in the skirts of the town; and on arriving at the inn, he found it deserted, and the walls cracked—a pleasant sight enough for a weary traveller. He then delivered a letter of introduction he had to a Sicilian, who was very kind to him, but he resided in one of the huts with his family. He offered him the use of his house, however, which had been much cracked by the earthquake; there being no alternative, he accepted it, and slept two nights in it alone, as his servant would not keep him company on any account. The inhabitants were in daily expectation of an eruption of the mountain, which they hoped would relieve them of farther anxiety."

"*Mascali, near Mount Etna.*—You will no doubt be anxious to hear from me on this distressing occasion. This place and Giarre have not sustained the least injury, but all around is one scene of distress. We here understand that Nola and Syracuse have sustained considerable damage in lives and buildings; as for Catania, most of the houses are more or less damaged, but no lives lost; the Elephant hotel is partly destroyed. Aci Catena is one-third destroyed, and a number of lives lost. St Antonio, lives lost, and a great part of the town destroyed. Nicolisi, Laphdara, Trecastagne, and Viagrande, partially damaged; Pas de Pomo, and all that part, are considerably damaged in stores and houses. Saffarasa, part of the church fell in, and killed every one in it, say about 60 persons, and the three priests attending the service.

Saffarana is about four miles from this. From thence to St Alpo is one scene of desolation, and from thence to Piedmont and Randazzo. It is further said, that Luctina, Bronte, and all that part, are considerable sufferers. In fact, we know not yet the extent done; but what we know is more extensive than the earthquake that destroyed Messina. The devastation is general, and I fear not yet finished. I look on this to be a fore-runner of an eruption. The first shock was on Friday, at half past seven P. M. most violent; its motion was perpendicular; at midnight a second; about five in the morning a third. This morning, about four, another; at half-past five a second; and at noon a third, but slight. For these two nights here and at Giarre, the population have remained in the streets, with temporary sheds, and casks with the heads out. Giarre is like an Indian town.

24th.—At half-past three o'clock a fire broke out in the hall of the Theatre-Royal of the Odeon at Paris. In a few minutes it burnt with great fury, and the theatre became a prey to the flames. The most prompt assistance was afforded. The firemen, aided by detachments of the national guard, the royal guard, the royal gendarmerie, &c., and a great number of citizens, were upon the spot, for the protection of the theatre, and to prevent the flames from spreading to the Rues de Racine and de Corneille, only separated from it by two arches. At half-past four the timber-work of the building fell with a great crash, and the flames ceased to have any food but the ruins on the bottom of the hall. But by the activity of the assistants, the lives of all those resident on the premises have been preserved. The Chancellor of France, and the Grand Referendary of the Chamber of Peers, repaired to the

spot upon the first report of the event, and remained during the whole time of the fire. His Royal Highness the Duke of Berry was present, and very active upon the occasion. His Excellency the Minister of General Police also afforded his best exertions. Two women, one of whom resided on the third story, owe their lives to the courage and activity of a young man named Joseph Arnold.—Eight years ago, in the same month, the Odeon was destroyed by a similar event; but then, as now, the cause was not discovered.

—Seventeen cases were lately landed, which were understood to contain the whole, or great part, of the personal library of Buonaparte. These books are chiefly modern; the editions, of course, those in which there is the greatest display of typographical splendour. The bindings are the most superb that can be conceived; some of velvet, others of vellum, or of Russia leather. There are some in satin. The colour of all is green; and the Imperial arms are on each book. We know not what arrangement it is that has permitted these books to be brought here, nor whether they are to be sold for the benefit of the French Government, or for that of Buonaparte. The Custom-house duties upon them amount to five hundred pounds.

—During the preparations that have been going on in the Psalter Church-yard of Dunfermline, towards the building of a new church, a tomb, supposed to be that of the celebrated King Robert the Bruce, was the other day discovered. There is yet no absolute certainty of the tomb being his, no inscription to that effect having been found, but there is much circumstantial evidence to prove the supposition. The situation corresponds very nearly with that of King Robert's sepulchre, pointed out by the two earliest Scottish his-



torians, Barbour and Fordun, while the appearances of the grave indicate it to have been one of a person of no small distinction. There is a large trough, built of polished stone, about seven feet in length, and 18 inches in depth; the cover of which, when first observed, had on *it* several iron rings, in a very decayed state; and some of which were even entirely loosened from the stone. In this trough lies a large body, six feet two inches in length, cased in lead. The lead is pretty entire, except on the breast, where it is much consumed, exhibiting part of the skeleton of the body in a state of considerable preservation. The body itself had been wrapped in damask cloth, extremely fine, and interwoven with gold, some fragments of which remain.—Something like a crown has been observed upon the head, but from the hurried inspection that was made of it, this has not yet been accurately ascertained. A wooden coffin appears to have surrounded the body, of which some vestiges still exist. The mouldered wood, conceived to be oak, lies strewed on the bottom of the tomb, and one or two nails have been picked up from amongst it. The grave is now closed, and secured against any violent depredations, by three rows of flag-stones, fastened to each other by iron bars, in which state it is to continue till the intentions of the Barons of the Exchequer, as to further procedure, are learned. Several fragments of marble, carved and gilt, were dug from the ruins in the immediate neighbourhood of the tomb, which, in all probability, are the remains of the monument that had been erected over it. This tomb, along with the other royal monuments, are all to be within the area of the new church, which will impart to this edifice a consequence and fame of which no similar building in Scotland can boast.

## APRIL.

1.—So far back as the 7th of July last year, Dr Craigie, Dr Lee, Mr Glover, and Mr Sims, clerks of the Royal Infirmary, gave in a statement to the managers, of certain abuses in the domestic management, which had come under their observation while attending their duty in the Hospital; and which they had been led to investigate, in consequence of complaints from several of the patients, of their food being stinted, and of bad quality; and of a wilful inattention, on the part of the nurses, to their comfort, in regard to cleanliness, &c. These complaints became the subject of occasional discussion in one of the Edinburgh newspapers, and were the frequent topics of conversation; when at a general Court of Contributors, held on the 5th January last, Mr John Wigham moved for the appointment of a Committee, to inquire into the existence and the extent of the alleged abuses. This motion gave rise to rather an intemperate discussion, some of the managers and their friends conceiving, that, to accede to the motion would be to pass a vote of censure on their own conduct. Mr Wigham and his friends disclaimed any such intention; and the appointment of a Committee, to inquire into and report on the subject, was at length agreed to. The inquiry accordingly proceeded, and the Report, which had been previously printed, and sold to the contributors at 10s. 6d. a copy, was taken into consideration at an adjourned meeting of contributors, held on Monday last the 30th March.

The Report of the Committee, which is of great length, goes into a history of the general economy of the hospital, and speaks in high terms of the excellence of the medical treatment of

the patients; but admits, at the same time, on a review of the evidence, "that there have existed some errors and defects in the ordinary domestic economy of the house, and that the established arrangements have failed to prevent the occasional occurrence of circumstances injurious to the comfort of the patients, and affecting the general character and repute of this most interesting and most useful adjunct to the great medical school of Edinburgh." The Committee at the same time expressed their conviction, "that the evils which may have existed have arisen even in spite of great zeal, anxiety, and active benevolence, on the part of the ordinary managers, in the discharge of their official duties."—"The defects alluded to by the Committee, regarded the cleanliness of the persons and bedding of the patients. With regard to the bedding, they report, "that in the course of last year, such measures had been adopted and carried into execution, as appear to have left little or no ground of complaint on this head;—and they suggest to the managers, to provide such a quantity of body linen as may insure personal cleanliness." In regard to diet, after observing, that, "in the preparation, as well as in the quantities served out to the patients, the practice of late years has occasionally erred on the side of too rigid an economy;"—they add, that "the complaints on those heads, which had gone abroad, have been in some instances exaggerated much beyond what the facts now in evidence appear to justify, while in some other instances they are unsupported or disproved." The Report was signed by eleven members of the Committee; namely, Messrs Francis Jeffrey, Thomas Thomson, J. A. Murray, J. F. Erskine of Mar, Alexander Monro, Lieutenant-General Maxwell, Sir William Fettes, Bart. Messrs Adam Maitland, Leonard Horner, John Craig, and John Wigham. Se-

ven of the Committee, viz. Lord Balgray, Sir William Rae, Reverend Principal Baird, Messrs William Arbuthnot, Alexander Duncan, Robert Dundas, W.S. and James Dundas, W.S. dissented from the general admissions of the Report; their reasons, at some length, being subjoined.

The Report and Dissent having been read at the meeting on the 30th March, Professor David Hume proposed a short series of resolutions, bearing,—that the Committee had not discovered any abuses in the management,—that such instances of "inattention as had accidentally crept in, had been discovered by the managers themselves,—that some of these were rectified, and the rest in the course of being so, previous to the appointment of the Committee,—that it was therefore quite unnecessary for the meeting to give any recommendations to the managers on the subject—and that the cordial thanks of the meeting be given to the managers, for their uniform and zealous attention to the interests of the charity. These resolutions were seconded by Mr Henry Mackenzie, and gave rise to a lengthened and warm discussion; in the course of which, the following gentlemen, among others, delivered their sentiments; namely, Sir William Rae, Mr Jeffrey, General Dundas, Sir John Dalrymple, Captain Lewis, Sir George Clerk, Mr Craig, and the Lord President, the latter of whom spoke for about three hours, in defence of the management of the hospital. Dr Charles Stuart afterwards attempted to address the meeting, but was prevented by loud cries of "question." A vote was then taken, when there appeared in favour of the resolutions 175, against them 32.—Majority 143.—Thanks were voted to Mr Jardine, the Treasurer of the Infirmary, and to the Lord Provost, the chairman of the meeting.

Thus terminated this important in-

quity; and whatever difference of opinion may have existed as to its necessity, a general conviction is entertained that the result, so far from diminishing, will tend materially to increase the confidence of the public in this admirable charity. The skill, humanity, and unwearied care and attention of the medical gentlemen attached to it, are known, and universally acknowledged;—whatever may have been formerly amiss in the domestic economy, has been carefully remedied; and from what came out in the discussions on the subject, it appears, that the whole management at present approaches as near to perfection, as it is perhaps possible to bring any establishment of the like nature.

—Tuesday, 7th, took place the marriage of her Royal Highness the Princess Elizabeth, with Philip Augustus Frederick, Hereditary Prince of Hesse Homberg. At eight o'clock, her Majesty, with the different branches of the Royal Family who had arrived in the Palace, except the intended bride and bridegroom, began to move from her private apartments; and on entering the Saloon, the Queen took her station in a chair of state, to the left of the altar. The different branches of the Royal Family took their stations according to their rank. The Archbishop of Canterbury, and the Bishop of London, appeared at the altar; the latter attending as Bishop of the Diocese, and Dean of the Chapel Royal. Every thing being properly arranged for the ceremony, the Lord Chamberlain retired, and introduced his Serene Highness the Prince of Hesse Homberg, between the Dukes of Clarence and Kent. His Serene Highness was attended to the altar by Baron O'Naghten, Baron de Gerning, and Baron Kranc. His Serene Highness was dressed in his General's uniform, and several of his Orders, Grand

Crosses, &c.—having ten in the whole. The Lord Chamberlain retired again, and introduced Her Royal Highness the Princess Elizabeth, who was conducted to the altar by the Dukes of Clarence and Kent. The Duke of York appeared to give her away. The Prince Regent was absent, partly in consequence of not being quite recovered from his attack of the gout, and partly because a similar scene was fresh in his recollection, in the marriage of his daughter. The Bishop of London, as Dean of the Chapel Royal, attended to take the register of the marriage, as also the Clerk of St George's, Hanover-Square, in which parish the Saloon is situate. As soon as the ceremony had concluded, a signal was given, and a double royal salute was fired from the Park and Tower guns. The bride and bridegroom retired, and having taken off their splendid dresses, his Serene Highness appeared in full dress, and her Royal Highness in a white satin pelisse, and a nun's veil over her head. They left the Palace soon after nine o'clock, in her Royal Highness's landaulet and four, for the Prince Regent's cottage at Windsor.

8th.—LAUSANNE.—Prince Talblonowsky, employed to demand the body of General Kosciusko, arrived on the 16th March at Soleure; but the executor, M. Amreth, suddenly protested against the transportation of the noble remains of the deceased. He declares on oath, that Kosciusko expressed his desire to be interred with simplicity, and concludes, that the hero had chosen the Helvetic soil for his last abode.

—By a letter from Thurso, dated April 29th, it appears, that an Iceberg, or island of ice, has actually been stranded upon the Island of Fowla, the most western of the Shetland Isles. This Iceberg is said to extend six miles in

length, and is an object of terror to the natives. Fowla, or Fula, in lat. 60. 6. N. long. 3. 17. W. of Edinburgh, is supposed to be the *Ultima Thule* of the ancients. It is about three miles in length, and one and a half in breadth, situated nearly 20 miles distant from any land, to the westward of the clusters of Orkney and of Shetland, to which last it is politically annexed. It affords excellent pasturage for sheep, and is inhabited by twenty-six families.

—Two natives of New Zealand have lately arrived in this country. Previously to their embarking for this country, they had been residing for some time in New South Wales, and, during their stay in that settlement, were living in the family of the Rev. S. Marsden, a gentleman well known for his active and intrepid exertions in behalf of the islanders of the South Seas, and as being principally instrumental in establishing the Missionary Settlement in New Zealand. By Mr Marsden they were recommended to the care of the Church Missionary Society, under whose protection they will remain during their stay in this country.

These enterprising travellers appear to be nearly of the same age—about three or four and twenty. Tooi, who is of the middle size, possesses a pleasing and intelligent countenance, with dark expressive eyes, evincing at the same time an impatience of restraint, which, however, exists only in the appearance, as no human being can be more docile and tractable. Teterree is somewhat taller than his companion, with greater mildness of features, in which are expressed some strong characteristic traits of a disposition prone to mirth and playful humour. Though neither of them is said to be a good

specimen of the muscular strength of his countrymen, yet they are both well-proportioned, and of active make. Tooi has the mark of the amoco, or tatooing, on the chin and the upper lip, intended only as preparatory marks to the whole of his face and forehead being covered with them, but which operation he now ridicules as absurd, and declares that he will not suffer any more of these painful inflictions.

25th.—EDINBURGH ASTRONOMICAL INSTITUTION.—On Saturday, at three o'clock, according to previous intimation, the members of this Institution assembled at the Observatory on the Calton-hill, where they were joined by the Lord Provost and Magistrates, the only persons not proprietors who were invited to attend upon this occasion. The day being exceedingly cold, Professor Playfair, the President of the Institution, having been for some time indisposed, was afraid to venture out, and therefore the duty to be performed devolved on Sir George S. M'Kenzie, Bart. the Vice-President. The usual donatives to posterity being prepared, and enclosed in two glass bottles, hermetically sealed, they were deposited by the Vice-President in the hollow of the stone. The cover being placed with the usual solemnities, and the blessing of the Almighty, the great architect of the universe, implored for the success of the undertaking—a hearty cheer concluded the ceremony. The bottles contained copies of each of the Edinburgh newspapers, an almanack for this year, with the current coins of the country, together with a platinum plate, on one side of which was engraved the following inscription, with the names of the office-bearers; and on the reverse, an alphabetical list of all the proprietors:—

## SPFICULAE

ADSIDERUM CURSUS ALIAQUE COELESTIA  
CONTEMPLANDA

SUMPTIBUS SUIB EXTENDENDAE

PRIMUM LAPIDEM PONENDUM CURABUNT

INSTITUTIONIS ASTRONOMICAE

EDINENSIS SODALES ;

VII. CAL. MAJ. AERAE CHRISTIANAE AN.

MDCCCXVIII.,

GEORGIO TERTIO, N. I VIII. REGNANTE,

PERIOD. JULIAN. I. MDCCCXI.

GULIELMO HENRICO PLAYFAIR,

ARCHITECTO :

NE DIUTIUS URBI CLARISSIMAE

SCIENTIAM OMNIUM PULCHERRIMAM

ATQUE AMPLISSIMAM

EXCOLENDI FACULTAS DEESSET.

## TRANSLATION.

On the 26th of April, in the year 1818 of the Christian era, the 58th of the reign of George the Third, and the 6531st of the Julian Period, the foundation stone of an Observatory was laid by the Astronomical Institution of Edinburgh, to be built at its own expence, according to a plan given by William Henry Playfair, Architect, in order that a great city, renowned for learning and knowledge, might no longer be without the means of cultivating the most sublime and most perfect of the sciences.

At five o'clock the members repaired to Oman's, where a party, consisting of fifty gentlemen, sat down to an elegant dinner, Professor Playfair in the chair, supported by the Lord Provost and Lord Gray, with the Honourable Captain Napier, Sir John Hay, Sir William Forbes, Sir M. Shaw Stewart, Sir George Mackenzie, and Mr Thomas Allan, Croupiers. After dinner, the healths of the Royal Family being drank, the President proposed as a toast, the Astronomical Institution of Edinburgh, and may the Observatory be as permanent as the rock upon which it is founded, and as the science to which it is dedicated. After which Sir George Mackenzie proposed Professor Playfair, their distinguished President, a toast which was enthusiastically drank with three times three.

Mr Playfair, in rising to return

thanks to the company for the honour they had done him, expressed his great regret, that the state of his health had deprived him of the gratification of seeing the foundation stone laid of a building which he had long entertained the most anxious desire to see erected, in order that a stain, which had long sullied the character of Edinburgh, as a seat of science, might be wiped away. For many years of his life the hopes of such an event seemed to be so remote, he might almost say so improbable, that he considered it as a case of a perfectly forlorn nature ; it could well be believed, therefore, how sincerely he participated in the satisfaction which all present must feel in meeting together to celebrate so desirable an event as the actual commencement of this undertaking. Few people knew how painfully disgraceful the want of this establishment had been to those connected with the scientific duties of this place, in illustration of which he had only to mention an anecdote which occurred some time ago. About ten or twelve years since a frigate had been fitted out at Copenhagen, destined on a voyage of discovery. From some accidental circumstance she had been obliged to set sail before her chronometers and watches were adjusted, so as to be able to keep the proper time ; the port of Leith being but little out of their way, they proposed to touch there, in order to repair the omission, never doubting that difficulty could exist at such a seat of learning, in ascertaining the true time ; they were woefully deceived, however, for nobody at Edinburgh could tell them what o'clock it was, neither chronometers or transit instruments being to be found in the place. They were consequently obliged to proceed to some port in England, probably with serious inconvenience from delay, in order to have that apparently very simple question resolved.

It might be thought perhaps that in consequence of the great discoveries which had been made in astronomy, the field was fully occupied, and that little remained to be done—let it be remembered, however, that within the memory of many then present, at least within his own, no less than five new planets had been discovered—new worlds in fact, unknown to former astronomers. Herschel, besides, had discovered several double and triple stars, with various nebulae, and other astronomical phenomena, that it was impossible for him to enumerate. It would be better therefore to consider the wide expanse of Heaven as a field in itself inexhaustible, even if we had nothing to expect from the improvement of our means, and from the ingenuity of our artists, in providing instruments, which would enable us to observe with more precision and effect.

The situation of Edinburgh as the site of an Observatory was peculiar and prominent; for, together with all the advantages that every other Observatory enjoys, its situation is particularly well adapted for the determination of the great problem of refractions, so eminently important, not only in the theory of astronomy, but for the improvement of nautical science.

In looking around him, it gave him peculiar satisfaction to find himself supported by so numerous and so respectable a company, particularly when he reflected upon the rise and progress of this Institution, which, like many others of the same kind, had originated in the exertions of a few private individuals. Of these, the same which he recollects first to have heard mentioned, he has great pleasure in treasuring in his memory—it is that of a gentleman who has eminently distinguished himself, not only by his philanthropy, but by his uncommon exertions in behalf of a great variety of scientific bodies, and to whom we owe

the foundation of a library which, even here, in Edinburgh, does honour to the city—to this gentleman the Astronomical Institution is chiefly indebted for its foundation; he need scarcely tell the meeting that it is Mr Bonar, their treasurer, to whom he alluded. That the first idea of an association for astronomical and other scientific purposes, seems to have originated with Mr Bonar and his friends. Sir George Mackenzie soon became acquainted with the suggestion; he saw its full value; from the beginning he had had an opportunity of observing the uncommon assiduity and successful exertions of this gentleman; and it is to his zeal, activity, and perseverance, more than to those of any other individual, that we owe the establishment and form of the Institution as it now exists.

## MAY.

2d. PARIS.—POLICE COURT.—One of the most celebrated political writers of the age, M. Fience, appeared lately upon boards reserved till lately for swindlers and prostitutes, but which now receive the most distinguished persons. On this occasion the very stairs leading to the Hall of Audience were crowded. A brilliant society, peers of France, deputies, ambassadors, and numerous ladies, eagerly disputed the places, as if it had been to hear the discourse of a person received into the Academy. The prosecution was founded on the following passage: “Lord Stanhope foresees that if we enter anew into revolutions, we shall drag other people along with us. He is in the right; but it certainly would not be to Buonaparte’s benefit. Absolute equality, the sovereignty of the people, the rage for a republic, preceded and still survive him. No one

could be assured, that in less time (than 100 days) the world would not be again in flames. An unforeseen accident would be sufficient to impel men's minds." Another passage was as follows: "There has been formed between the nation and those who govern it a hypocrisy of sentiment, which might be dangerous if it were not conventional. Kings believe themselves beloved when told that they are so: sometimes even they repeat it with a simplicity which moves our pity." Notwithstanding the eloquence of M. Fienice's defence and his protestation of having had no design to shew disrespect to the king or excite disturbance, he was condemned to a fine of 50 franks, and to three months imprisonment.

— It has lately transpired that in consequence of the strictness of Government in the system adopted to prevent smuggling, the people of the Scilly islands who almost wholly subsisted by that illicit traffic, have been nearly reduced to a state of absolute starvation! The miserable inhabitants had for some time subsisted on the limpets which they gathered from the rocks, which have now failed them; and their famished children crawl into the fields upon their hands and knees to eat the grass!!

— A humane visitor having but 5*l*. at command, distributed that among 100 of the inhabitants, with the hope, as he stated, of preserving them a few days longer in existence.

Various reports and applications have since reached Penzance from the distressed natives, representing that they were in want of every thing, with scarcely a boat, and neither money, barley or potatoes, and imploring that they might not be left to perish for lack of bread.

It seemed, therefore, necessary, that one or two persons should visit the islands, and inquire into the state of

the different families, that such a report might be laid before the public, as would be adapted to interest their feelings and excite their commiseration.

Four gentlemen, with Mr J. of Tresco, and Mr T. of St Mary's, proceeded in a boat for the island of Tresco. They learned that the gentlemen of St Mary's had used considerable exertions to meet the necessities of the people, but found they far exceeded all the means they could devise for their relief. Captain T. had also ventured on a speculation respecting kelp, and offered to ship a cargo for Bristol. The poor people of the off islands had most heartily rejoiced in this expedient; and the vast columns of smoke crossing the ocean, plainly indicated that all were at work who could do any thing to obtain a penny. This, however, is but for a month or six weeks, and the trifle given for their labour can barely enable them to obtain a little bread for their families. They landed about eleven o'clock, and immediately commenced the proposed investigation, which confirmed most fully all that they had heard at St Mary's. Five hundred pounds have since been advanced by government for their immediate relief, till some permanent plan be adopted.

— An accident of a very dreadful description has lately occurred in La Valais. Some months ago the River Drance, which flows down the Val de Bagnes (a deep valley contiguous to the famous pass of St Bernard) and falls into the Rhone, a little below Martigny, was obstructed in the upper part of its channel by an immense avalanche, precipitated from one of the neighbouring glaciers. The water, thus deprived of its usual outlet, gradually accumulated till it formed a lake of considerable size. An alarm was soon spread, and the government of the Valais took such measures as

the nature of the case admitted, to prevent the catastrophe which was to be apprehended from a sudden rupture of the lake. In spite, however, of the greatest exertions, the dreaded event at length took place on the 16th instant. The lake had, indeed, been lowered as much as 40 feet, by means of a tunnel carried through the barrier, or avalanche; but the mass of water still remaining, at the time the barrier gave way, was sufficient to sweep away every thing in its course — harvests, cattle, houses, forests, &c from the glaciers to the Rhone, a distance of several leagues. Such devastation could not of course be effected without the loss of many lives. The town of Martigny has particularly suffered. Even the store-houses, which were sufficiently strong to resist the force of the water, were filled with mud, and every thing within damaged. The rapidity of a torrent was so inconceivably great, that those who had perceived its approach had hardly time to get out of its way. Beacons had been established at intervals along the course of the Drance; it was found impossible to light them in time. Some English travellers were in imminent danger, but fortunately escaped with their lives. The master of the Swan Inn at Martigny was overwhelmed while at work in his garden. The torrent passed over a part of the Simplon and St Bernard roads, and carried away a bridge on each. The former is already repaired, and travellers continue to pass without difficulty, and it may be hoped without any fresh danger, as it has been ascertained that the lake is entirely drained, and the barrier which formed it so effectually opened, as not to threaten a new accumulation of water. Martigny,

the country immediately round it, and the Val-de-Bagnes, are still in a most deplorable state. People who have been on the spot describe the scene of destruction as more prodigious and terrific than could have been conceived by the most active imagination. A stone or fragment of a rock, more than 30 feet in circumference, has been lodged in the very centre of Martigny. In some places are formed piles of timber, partly forest trees torn up by the roots, and partly rafters of demolished houses. Some of the piles are represented by eye witnesses as being thirty or forty feet in height.

Several persons have been at Martigny, and some even at Bagnes, but by the passage of the mountains, and all return with a deep impression of the sad spectacle they beheld. Numbers of workmen, sent by the surrounding communes, are continually employed in clearing the soil from the slime with which it had been covered, or in raising banks to confine the Drance within its natural bed. Furniture, effects, and fragments of various kinds, are discovered every day. In the district traversed by the torrent, scarcely is there seen a broken down wall here and there. At Martigny and Bagnes, the ground upon which stood the houses swept down by the torrent, is covered with mud, sand, and stones. The inhabitants are in a state of sullen consternation, and not yet recovered from the sort of stupor into which they were stunned by the disaster.

Subscriptions are making for the relief of the sufferers, who are very numerous. Many of them, besides the loss of friends, parents, or children, are reduced from independence and comfort to absolute indigence."



*Waterloo Fund.*—The following general account of the Waterloo subscription, to the 31st instant, has just been officially made public :—

Dr.		
Amount received by the Committee		L. 486,666 13 6
Increased by Dividends on Stock	L. 45,432 19 0	
Interest on Exchequer Bills	192 0 4	
Profit on Stock sold	28,782 19 6	
		<hr/> 74,407 18 10
Total amount of receipts		L. 561,074 12 4
Cr.		
Cost of L. 53,500 3 per cent. Cons.	L. 33,952 10 0	
10,000	reduced 5,787 10 0	
17,300	Long Annuities 274,349 4 6	
		<hr/> Total investment in Public Funds L. 314,049 4 6

*Payments and Donations.*

To Officers, Non-Commissioned Officers, and Privates wounded; to the Parents and dependent Relatives of Officers, Non-Commissioned Officers and Privates killed; and in Annuities to Widows and Children, commencing from the 18th June 1815; and to the Prussian and other Foreign Troops		L. 228,621 9 11
Expenses from 18th June 1815, to 18th June 1818.		
Advertising, Printing, and Stationary	4,475 6 1	
Lease of House, Fixtures, Rent, and Taxes	2,133 12 4	
Salaries to the Secretary, Assistant Secretary, and Clerks, for three years	3,353 10 0	
Engraving, Stamps, Postage, and other incidental Expenses	2,620 15 8	
Balance at the Banker's	5,880 14 10	
		<hr/> 561,074 12 4

STATEMENT OF THE APPROPRIATION.

<i>Annuities granted for Life.</i>		
To the Widows of Officers, Non-Commissioned Officers, and Privates killed		L. 9,930
To the wounded Non-Commissioned Officers, and Privates totally disabled		1,698
To dependent Relatives		540
Amount of Annuities for Life		<hr/> L. 122 10
<i>Annuities granted for limited Periods.</i>		
To the Children of Officers, Non-Commissioned Officers, and Privates, and to complete Orphans		2,768
Total Amount of Annuities		<hr/> L. 21,376

*Voted in Money.*

To the Wounded Officers, Non-Commissioned Officers, and Privates	L. 83,834
To the Parents and dependent Relatives of Officers, Non-Commissioned Officers, and Privates killed, leaving no Widows or Children	34,172

*To the Foreign Troops, viz.*

Prussians, Brunswickers, Hanoverians, and Netherlanders	L. 45,000
Additional for the exclusive benefit of their Orphans, rendered such by the Campaign of 1815	17,500
	<hr/> 62,500
Total Amount voted in Money.	L. 180,506

The Prince of Condé died at Paris, on the morning of the 13th, at the age of 82. He was interred in great pomp on the 26th.

29th.—THE QUEEN.—About the middle of this month her Majesty was attacked with violent spasms, and, continuing much indisposed, her physicians called in Dr Maton, the physician extraordinary, when, after consultation, a blister was ordered to her stomach, and the Queen was much relieved. Daily bulletins were published from that period till yesterday, when her Majesty was so much recovered that they were discontinued.

binet Ministers, and the official persons whose presence is required by law and custom on such occasions. The great officers of state, and others who are frequently invited for the purpose of giving additional splendour to the proceedings, were not summoned, it being the particular wish of the Queen that the marriage should be as private as possible, in order to spare her Majesty all unnecessary fatigue.

—By dispatches from General Doa at Gibraltar, it appears, that the plague is raging at Oran, where it has swept away one half of the population; that the mortality was considerable at Tremereen, the capital of the province, and that the disease has begun to shew itself at Fez. At Algiers, the deaths had fallen from 120 to 50 in the day; which, however, was partly ascribed to the diminished population.

## JUNE.

It is announced in a paragraph from Cobourg, that the marriage of his Royal Highness the Duke of Kent with the Princess Dowager of Einingen, was celebrated in the evening of the 29th of May.

1st.—The marriage of the Duke and Duchess of Cambridge, according to the rules of the English church, took place this day, the indisposition of the Queen having prevented an earlier solemnization of this ceremony. On Saturday morning, the Queen's Chamberlain issued the proper notices for the attendance of the Archbishop of Canterbury, the Bishop of London, the Ca-

## ELECTIONS.

The public interest during the remainder of the present month, and the beginning of the next, was almost exclusively engrossed by the proceedings in the General Election, which were carried on with an almost unprecedented degree of zeal and eagerness. Attention was above all attracted, by the violence displayed by the populace in the Westminster election, which seemed to threaten a renewal of the scenes at Spafields. The candidates were originally Sir Samuel Romilly, Captain Murray Maxwell, Sir Francis

Burdett, Major Cartwright, and Mr Douglas Kinnaird. The two latter, however, speedily withdrew, leaving the field open to the three first names, to which Mr Hunt chose his to be added.

Some days prior to the election, Hunt circulated the following notice.

"Mr Hunt solicits the favour of his friends, the friends of Universal Suffrage, in the parish of St John's, and St Margaret's, in the city of Westminster, to meet him in Old Palace-yard, on Tuesday next, precisely at twelve o'clock. Mr Hunt also requests that his friends in the parish of St James's will favour him with their company at Waterloo-Place, Pall-Mall, precisely at two o'clock on the same day. Mr Hunt also requests that his friends in the parish of St George's will favour him with their company the same day, in Hanover-Square, precisely at four o'clock, that he may have the honour of paying his personal respects to as many of his friends as possible on the day of election."

Accordingly next day at half past twelve, Orator Hunt approached Palace-Yard in two chariots, one of which he himself occupied, and in the other was Carlisle, the printer of Hone's Parodies. In the last was a long streamer displayed, on one side of which was "Hunt and Liberty;" and on the other, "Universal Suffrage." Hunt afterwards commenced an address, which occupied a whole hour, although his audience did not consist of more than 300 persons, among whom were observed Dr Watson, and the two Evanses. He began by stating that he took this opportunity of canvassing his friends, as he was not supplied with money to go about for weeks in carriages to canvass the electors. His object, he said, if chosen, was to obtain for every one, even the meanest individual in society, the blessings which peace ought to bestow under a

just government, he meant *competence*. It had been said that he intended to assemble his partizans opposite to Carlton-House, in order to insult royalty. He had no such design; but if the Prince should apply his ear to the crevice of one of his windows, he might learn some wholesome truths, which Englishmen ought to speak, and which princes ought to hear. He referred to the oath he had taken before the Lord Mayor, and declared it to be his resolution to keep the Poll open to the last moment, in order to give the Electors of Westminster the full opportunity of sending members to Parliament who would procure for them Universal Suffrage, Votes by Ballot, and Annual Parliaments. He challenged the other candidates to appear with him on the hustings at Westminster, when, he said, he should propose questions to them that would destroy all their hopes. The Orator next proceeded to Waterloo-Place, and delivered the same harangue, with additions. The like scene was exhibited at Hanover-Square; and when the Orator concluded, the horses were taken out of his carriage, and he was drawn by his zealous friends to his abode in Norfolk-street.

On Thursday the 16th, the election commenced. Before nine o'clock Hunt appeared in his open carriage, accompanied by his flag, inscribed with "*Universal Suffrage and Annual Parliaments*," and the pole surmounted with a red Cap of Liberty, with the inscription of "*Hunt and Liberty*." The rabble hailed this with shouts. Hunt observed, on Burdett's name being exhibited on a placard, "bring forward the man—let us see the man." He termed him a hypocrite and traitor to the cause of liberty.

Sir Murray Maxwell addressed the meeting with considerable applause, but was seriously annoyed by the mud and stones thrown at him by the mob, excited by Hunt. He appeared to

suffer severely from the effects of a stone which struck him on the right eye. He was supported for a few minutes by a friend, and it was doubtful whether he would be obliged to retire. The feeling of indignation at this wanton outrage was very general. Having recovered a little, he prepared to address them, and was saluted with the loudest acclamations. "Gentlemen," said he, "though I have been hit in the eye by a shot (I cannot say whether by a friend or a foe), I am still anxious to consider you all as my friends. Indeed the second candidate on the poll might have naturally expected to receive a shot or two. The learned gentleman, who is placed at the head of the poll, like the other three candidates, who are less fortunate, does not appear to like shot, and has very prudently kept out of the way.—(Applause.)—But, gentleman, I have been in the way of shot since I entered his Majesty's service, twenty-eight years ago, and I only feel here, that the man who could stand, after shipwreck, at the head of his distressed crew, and appeal to them, ay, and confidently, for their support, I feel it is impossible that such a man can be afraid to meet, under any circumstances, the electors of Westminster.—(Applause.)

On the second and third days, although the scene was very tumultuous, and there were several battles among the mob, accompanied with broken noses and black eyes, Captain Maxwell and the other speakers obtained yet a tolerable hearing. On Monday, Sir Murray Maxwell was more violently assailed by the populace than on any preceding occasion. It was indeed with the utmost difficulty, that he had previously obtained access to his hotel. It was impossible to hear what he uttered, such was the clamour; and, during the time he endeavoured to attract the attention of the multitude, he was attacked by missiles of every filthy de-

scription, and retired from the front of the hustings plastered with mud.

The vociferations now became predominant from the mob, and the expression of joy and triumph was more loud than that of censure and execration. The whole was a scene of confusion, when a young adventurer, more daring than the rest, climbed up the posts from which the flags of Sir M. Maxwell were displayed, when they were torn down and thrown amongst the multitude, by which they were instantly reduced to shreds and tatters. By the intervention of the peace officers, and the cooling effects of time, a calm succeeded to this tumultuous storm.

On Thursday the tumult continued unabated, and led in the evening to a still more violent outrage. On the return of Sir M. Murray from the hustings on Tuesday evening, he and his friends were first assailed by horrid oaths and execrations, and the most sanguinary threats; about half way between the hustings and the committee-room, which is at Richardson's hotel, he was struck by a stone on his chest: this does not appear to be the most dangerous blow, or the last; for, just on reaching the house, he received a second blow on the left side of the head near the temple; after this, he was with difficulty supported into the house, when being completely exhausted he was put to bed; here he received the attentions of two respectable medical gentlemen; but alarming symptoms coming on, a physician was sent for. Sir Murray Maxwell afterwards became more composed; but was, as an official note stated, not out of danger next morning. Towards evening, however, he was considerably recovered.

The committee for conducting the election of Sir Murray Maxwell issued a placard filled with just expressions of abhorrence at the atrocious as-

sault committed on that gentleman on Tuesday, and offering a reward of 100 guineas for the apprehension of the unmanly scoundrel who struck him.

The following is the description of the ruffian :—

A tall athletic man, about six feet high, apparently a blacksmith, from his face being blacked by smoke and dirt, short black curled hair, and dark eyes ; he struck Sir Murray Maxwell on the left temple, about three yards from the west end of the Piazza.

The miscreants have adopted a beastly custom,—they spit upon all those who vote or attempt to vote for any but Burdett ; and such is their skill in the filthy practice, that they reach the persons on the hustings, and more especially the obnoxious candidate.

The following days were marked by the entire downfall of the popularity of Hunt, evinced on occasion of his quarrel with Cleary, against whom he first advanced a violent charge, then refused to fight him, and finally was unable to produce a letter, which he had quoted in support of his accusation. He was then loaded with the execrations of the multitude. At length, irritated by these repeated threats, he beckoned to his brother, who is deaf and dumb, and a celebrated brawler, to jump down, and avenge his cause. The brother did jump down, but was prevented by Mr. Lee, the high constable, from obeying the directions he had received. Several white feathers were next handed forward—some fixed on the ends of sticks, others elevated on pieces of paper,—all of which were pushed towards Mr Hunt, who, however, stood his ground, although evidently much affected. He remonstrated with Mr Lee, the high constable, for permitting these insults ; but as Mr Lee said it was impossible to prevent them, at length Mr Hunt turned towards the crowd and said, that as he was interrupted, assaulted,

and prevented from addressing them, he would retire for that day. He then stepped back amidst thunders of disapprobation, and a very partial degree of applause. Nothing could exceed the scene of confusion which took place after his retreat.

On Monday, 20th June, a more serious riot took place. Some friends of Sir Murray Maxwell having procured a boat, and placed it on a car, as is usual when there is a naval candidate, had made an orderly procession of this, and were stopping in Poland-street to take a little refreshment, when a gang of fellows, mostly wearing blue cockades, attacked them, and a violent contest ensued. The assailants trebled the others in numbers, and were the conquerors. They immediately possessed themselves of the boat and its colours. The former they broke to pieces. Placing the car in the midst of them, they began their march to Covent-Garden ; their number amounted to 500 at least, when they arrived there. They entered the Garden about four o'clock in the afternoon, when the crowd is greatest, proceeded to the front of the Piazza Coffee-house, where Sir F. Burdett's committee sit, and there broke the car to pieces, under tremendous shouts of "Burdett for ever—Burdett for ever!" which had been their cry on their march. This was done about twenty minutes past four, just before the poll was announced. Every man, it seems, was to have a piece of this car, as a trophy, and the distribution of it occupied the patriots till near six, when a party of several hundreds, each distinguished, and, in some measure, armed by a fragment of the car, paraded before the hustings. After this exhibition of themselves as victors, they proceeded, as if by command, to the door of Richardson's Hotel, and began to pull down a fence, which had been raised before it, shouting "Burdett for ever." Police officers

had been very properly stationed there, and the courageous resistance made by these men was admirable. They had to fight for their lives against a crowd, which was continually increasing. Every minute some of the mob were seen retiring, with marks of defeat, but others rushed on. The mob, having been reinforced from the hustings, would at last have got into the house, if fresh parties of constables had not arrived from Bow-street. The fight then became so extensive, that bystanders could see little of what passed in the centre; at the out-skirts, bloody faces were continually appearing. As one man, who seemed to be much hurt, was borne along by his companions, a person wiped his face with a white handkerchief; and this ensign was immediately hoisted upon a poll, and paraded before the hustings. Two were carried away motionless. As the mob were still receiving reinforcements, the brave resistance of the police officers would have been overpowered, if Sir Nath. Conant and Mr Birnie, accompanied by a strong party, had not arrived and read the riot act. Troops having been sent for, the populace began to disperse, and the assailants to become spectators. Some few remained to insult the Magistrates; the greater part followed Mr Hunt, who, about that time, left the hustings for his lodgings in Norfolk-street, before the door of which the mob were regaled by a violent speech of great length, delivered by one of his adherents from the top of a hackney coach that had carried him. In the mean time, a knowledge of the proceedings of the *Universal Suffragists* had spread; the shops, and even the coffee-houses in the adjoining streets, were shut up.

About ten, people began to collect again in Covent-Garden, and it became necessary to employ the horse-guards, as well as constables, in preventing them from forming themselves into

mobs. Violent shouts were frequently raised near Richardson's hotel. At a quarter before eleven, two parties of foot-guards were posted in that part of the piazza; and soon afterwards four carriages left the door of the hotel, which were followed by the populace down Henrietta-street.

About half-past four o'clock on Monday afternoon, a mob, about a thousand strong, armed with bludgeons, &c. proceeded to Gerard-street, where they totally demolished the shop windows of the house where Sir M. Maxwell's committee sits. The inhabitants of the house were alarmed for their own safety. They were obliged, for self-preservation, to take in the union flag, which was flying from an upper window of the house. The ruffians then proceeded in triumph to the Hungerford coffeehouse, where they broke some panes of glass.

On Saturday, July 4, being the fifteenth day, the election closed, when the numbers were,—

Romilly . . . .	5339
Burdett . . . .	5238
Maxwell . . . .	4808
Hunt . . . . .	84

On Wednesday the 17th, the election for the city of London commenced at Guildhall, at one o'clock, in the usual form. The following candidates started:—Sir William Curtis, Alderman Wood, Alderman Thorpe, Alderman Birch, Alderman Atkins, Mr Waitman, and Mr Wilson.

The Hall was crowded to excess, and it was with much difficulty the different voters reached the hustings. At an early hour in the day the whole of the city presented a most lively and bustling scene, the streets leading to Guildhall being lined with spectators, and the friends of the respective candidates being every where on the alert, preparatory to their going to the hustings. As they proceeded to the Hall, they were hailed with continued shouts

from the surrounding multitude. On the approach of Sir William Curtis, however, some signs of disapprobation were shewn, but on the worthy Alderman reaching the hustings, he was loudly cheered. During the day the Grand Duke Michael visited the Hall, and seemed highly delighted with the passing scene. On the several candidates retiring from the hustings, the horses of Mr Alderman Wood were taken from the carriage, which was drawn by the populace, amidst the acclamations of the people.

— Guildhall is this day (Wednesday) full of noise and tumult—applause for the popular candidates, with shouts of disapprobation and hisses for their opponents, are mixed in the discordant confusion. The scene in the vicinity of the Hall, though not so loud and boisterous, displays not less animation. The coffee-houses in which the committees of the several candidates sit are ornamented with flags and banners from the windows, and the attention of the passengers is arrested by men decorated with ribbons, carrying poles surmounted with placards recommending their favourites. At half past twelve, the Duke and Duchess of Cambridge, and the Landgrave of Hesse-Cassel, drove up to the end of the street leading to Guildhall, in an open landau, where they stooped to enjoy the noise and uproar of a contested election—quite a novel spectacle to a German Prince and Princess.

Although this election was keenly contested, it was not marked by any of those outrages which disgraced that of Westminster. The following scene is only ludicrous :

At one o'clock, a Quaker, named Samuel Southall, upwards of sixty-six years of age, walked up to the desk of the polling place, and addressed four of the candidates. The following dialogue took place :—

Samuel.—Friend Wood, I give thee

my vote, for I know thee to be a respecter of the weaker sex. I cannot accuse thee as I can the *large* candidate on thy right, of calling the women *Amazons*. I call thee independent, and I entreat thee to look after the condition of the poor.

Alderman Wood.—I hope my future conduct shall prove that I deserve your commendation.

Sir W. Curtis.—I say, friend Samuel, I suppose thou meanest me. Where hast thou thy authority for saying I am hostile to the ladies?

Samuel.—The term applied by thee to them is not good. It doth not testify respect, and the newspapers tell the tale of thee.

Sir W. Curtis.—The newspapers lie, and thou liest too, if thou persistest in saying what thou hast already said, thou wicked one. (*Great laughter.*)

Samuel smiled, and turned to Mr Waithman.—Friend Waithman," said he, "I'll vote for thee, though thy professions are great. I shall be content if thy performance amounts to one half of thy promise, which is mighty." (*A laugh.*)—In addressing Alderman Thorpe he said, "Friend Thorpe, I'll try thee—I once knew an honest man of thy name; thou speakest fair, and may do good." He then asked Alderman Wood whether he would recommend him to vote for any other of the candidates? An answer was declined, and the Quaker said, he should vote for Wilson, who had spoken with apparent sincerity, and had come forward recommended by the respectable mercantile interest of the city.

\* Mr Culvert came up to vote. He addressed the candidates for whom he voted :—"Alderman Curtis, I wish it to be understood, that I vote for you merely from my feelings of friendship for you."

Sir William.—"Thank you, thank you—that will do. I am glad you have so good an opinion of me as to

vote for me against your conscience." (*Loud laughter.*)

The election on Tuesday the 23d, occupied the hopes, the fears, and the wishes of the whole city. This was the last day of polling, and the result was one of the most remarkable triumphs ever achieved by the opposition party; and, we may add, that it was wholly unexpected. The return of Alderman Thorpe was expected chiefly by the coalition of his committee with those of Waithman and Wood, but the greatest exertion was also made by the whole of the popular party. Thorpe, who was the night before 129 in the rear, took the lead of Curtis soon after twelve, and continued to gain on him till the close of the poll, which gave him a majority of 113 over his opponent. Sir William Curtis, who had been exposed more than usual to the abusive attacks of the populace, made his retreat from the Hall at half past two, still having maintained his post long after the hopelessness of his cause had become manifest. The successful candidates returned thanks in the usual manner. Thus closed one of the most interesting elections ever remembered in the city, and which, during the whole of its progress, took the precedence in the public mind of every other subject. On the final close of the poll the numbers stood as follows:—

Wood . . . . .	5715
Wilson . . . . .	4846
Waithman . . . . .	4617
Thorpe . . . . .	4349
Curtis . . . . .	4236

We shall now exhibit briefly the result of the principal contested elections throughout the three kingdoms.

#### NORTHUMBERLAND AND DURHAM:

In the city of Durham three candidates started.—Mr M. A. Taylor, Mr Wharfon, and Mr Allan; but, at the close of the first day's poll, Mr Allan resigned:—

Taylor . . . . .	154
Wharfon . . . . .	113
Allan . . . . .	9

#### CUMBERLAND AND WESTMORELAND.

Three candidates were nominated for Carlisle,—Mr Curwen, Sir James Graham, and Mr Parkins; after some strong efforts on all sides, Mr Parkins declined. The numbers stood—

Curwen . . . . .	250
Graham . . . . .	225
Parkins . . . . .	49

Sir James Graham with difficulty made his escape from the people.

The contest for Westmoreland, between Lord Lowther, Colonel Lowther, and Mr Brougham, was unexampled in severity:—

	Mr Brougham.	Col. Lowther.	Col. L.
Plumpers . . . . .	823	13	4

Total Voters 889 1211 1157  
Declared majority for Col. Lowther . 268

The Lowther family have, therefore, succeeded in their first rencounter with Mr Brougham. He threatens them with a second.

#### YORKSHIRE.

The election for York closed, after four day's hard polling, in which much bodily injury was suffered. The numbers stood—

Hon. L. Dundas . . . . .	1446
Sir M. M. Sykes, Bart. . . . .	1276
W. B. Cooke, Esq. . . . .	1055

The election for Hull was vigorous and spirited; the candidates, Mr Mitchell, Mr Graham, (son of the member for Carlisle, but opposed to his father in politics,) and Mr Staniforth. The numbers stood—

Mitchell . . . . .	1324
Graham . . . . .	1074
Staniforth . . . . .	1036

#### LANCASHIRE.

Hardly inferior to any for public fervour was the contest for Liverpool; but Mr Canning and General Gascoyne were returned; yet, from the state of the poll, which we subjoin, it



will be seen that Lord Sefton's friends polled considerably more men than either of the other candidates :—

1207 freemen polled at Lord Sefton's bar : of these 49 split to Canning, and 2 to Gaseoyne, thus . . .	Seft.	Can.	Gasc.
	1207	49	2
869 freemen polled at Mr Canning's bar: of these 642 split to Gaseoyne, and 64 to Sefton, thus . . .	64	869	642
800 freemen polled at Gen. Gaseoyne's bar: of these 736 split to Canning, and 9 to Sefton, thus . . .	9	736	800

Total . .	1280	1654	1444
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At Preston, Dr Crompton polled 1200; Mr Hornby, 800; and Mr Horrocks, 800; yet these two last, by exchanging their second votes, gained their election.

#### NOTTINGHAMSHIRE.

After a most arduous struggle, Mr Birch and Lord Ranciffe were returned for Nottingham. At the close of the poll the numbers were—

Birch . . .	3228
Ranciffe . . .	1863
Smith . . .	1840

A scrutiny was demanded by the latter candidate, but refused.

#### LINCOLNSHIRE.

There were three candidates for Lincolnshire,—the Hon. M. Pelham, Sir Robert Heron, and Mr Chaplin. After three days' sharp conflict, Sir Robert was obliged to decline; when the the numbers stood—

Pelham . . .	3693
Chaplin . . .	3069
Heron . . .	3653

The Hon. P. R. D. Burrell and Mr W. A. Madocks have been again returned for the borough of Boston, after an arduous struggle. At the close, the numbers were—

Burrell . . .	299
Madocks . . .	288
Ellis . . .	270

#### LEICESTER AND RUTLAND.

It is forty-three years, since the county of Leicester was contested. Lord Robert Manners was put in nomination; then Mr Babington; and lastly, Mr Charles March Phillips of Garendon Park. A poll commenced, which, at the first day's close, stood—

Manners . . .	391
Phillips . . .	307
Babington . . .	257

When Mr Babington declined:

#### STAFFORDSHIRE.

Three candidates,—Mr Benyon, Gen. Macauley, and Mr Homfray,—contested the borough of Stafford. At the close of the poll the numbers were—

Benyon . . .	340
Homfray . . .	254
Macauley . . .	150

Tamworth election was carried by Sir Robert Peel, and his second son, William Peel, Esq. in opposition to Lord Charles Townsend. The place was a scene of uproar and confusion; much damage was done, and several houses destroyed.

#### WARWICKSHIRE.

Mr Butterworth lost his election at Coventry; the final numbers being—

Moore . . .	1180
Ellis . . .	1000
Butterworth . . .	624

#### WORCESTERSHIRE.

The retirement of Sir William Duff Gordon from the contest terminated the election of Worcester in favour of Lord Deerhurst and Colonel Davies. At the close of the poll the numbers were—

Deerhurst . . .	1429
Davies . . .	1024
Gordon . . .	874

#### HEREFORDSHIRE.

The contest for this county was the

greatest ever known ; the candidates, —Col. Cornwall, Col. Cotterell, and Mr Price,—were each strenuously supported ; but, on the fifth day, Col. Cornwall declined. The numbers at the close were—

Cotterell . . . .	2175
Price . . . . .	1949
Cornwall . . . .	1775

The contest for Hereford concluded on the retirement of Mr Scudamore. The close of the poll stood—

Cocks . . . . .	451
Symonds . . . .	354
Scudamore . . . .	293

Hereford had not experienced a contest since 1784.

#### GLOUCESTER AND MONMOUTH.

The election for the city of Gloucester terminated, after a most spirited contest, in favour of Col. Webbe and Mr Cooper. At the close of the poll the numbers were—

Webbe . . . . .	892
Cooper . . . . .	888
Berkeley . . . .	838

The contest for Bristol is believed to be unparalleled in the history of elections, for spirit, vigour, and resolution. Mr E. Protheroe and Colonel Hugh Baillie both withdrew ; but were again nominated. The close of the poll on the fifth day produced the following numbers :—

Davis . . . . .	3377
Protheroe . . . .	2259
Baillie . . . . .	1684

#### OXFORDSHIRE.

Three candidates,—the old members, Mr Wright and Mr Lockhart, and General St John, on the Marlborough interest,—started for Oxford. Much activity was used by all parties ; but Mr Lockhart suddenly declined. The numbers stood—

Wright . . . . .	330
St John . . . . .	389
Lockhart . . . . .	353

#### BUCKINGHAM AND BERKSHIRE.

For Aylesbury, the late members, Lord Nugent and Mr Charles Compton Cavendish, and a new candidate, Mr Rickford, were put in nomination. The close of the poll was—

Nugent . . . . .	864
Rickford . . . .	873
Cavendish . . . .	420

#### NORTHAMPTONSHIRE.

Lord Compton and Sir Edward Kerrison have been returned for Northampton, after the severest contest ever known there. The numbers at the close were—

Compton . . . . .	815
Kerrison . . . . .	666
Robinson . . . .	639

The polling lasted thirteen days.

#### CAMBRIDGE AND HUNTINGDONSHIRE.

The contest ended at Cambridge in favour of General's Finch and Mannors, who polled 76, and Mr Adeane 56.

In the county of Huntingdon, the ministerial candidates, Lord F. Montague and Mr W. H. Fellowes, were opposed by Captain Wells. The following was the state on the close—

Montague . . . .	978
Fellowes . . . .	837
Wells . . . . .	466

#### NORFOLK.

The contest for the representation of Norwich has terminated in the election of William Smith, Esq. and R. H. Gurney, Esq. opposed by the Hon. Edward Harbord. Mr Sheriff Burrows declared the final numbers to be—

Smith . . . . .	2089
Gurney . . . . .	2032
Harbord . . . . .	1475

#### SUFFOLK.

H. Baring, Esq. of the firm of Sir F. Baring and Co. arrived at Ipswich, and immediately addressed the electors, soliciting their votes in behalf of himself and Captain Sir Wil-

ham Bolton, R. N. This unexpected opposition to Messrs Crickett and Newton led to one of the severest contests ever remembered at Ipswich. At the final close, on the sixth day, the numbers appeared as follows:—

Crickett . . .	428
Newton . . .	422
Baring . . .	389
Bolton . . .	362

## ESSEX.

Three gentlemen,—Mr Wildman, Mr P. Wright, and Mr D. W. Harvey,—offered themselves for Colchester. The former gentleman ministerial, the two latter of opposition politics. Total at the close of the poll—

Wildman . . .	612
Harvey . . .	503
Wright . . .	160

## KENT.

A very strenuous canvas was commenced for Kent, by Sir Edward Knatchbull, Bart., Sir W. Geary, Bart., the two late members, and P. W. Honeywood, Esq. The polling continued with unabated vigour, until Sir W. Geary resigned, when the numbers were—

Knatchbull . . .	3417
Honeywood . . .	2997
Geary . . .	934

S. R. Lushington, Esq. and Lord Clifton, have come in for Canterbury, after a smart contest with Mr Baker. At the close of the poll the numbers were—

Lushington . . .	990
Clifton . . .	961
Baker . . .	654

## SUSSEX.

• Mr Sugden, barrister, offered himself for Sussex in opposition to Sir Godfrey Webster. Three candidates commenced an active canvas,—Sir Godfrey Webster, Mr Walter Burrel, and Mr Sugden. The first day's poll was announced to be—

Webster . . .	367
Burrel . . .	171
Sugden . . .	122

Mr Sugden then declined.

## WILTSHIRE.

From the length of time since the canvassing for Wiltshire commenced, from the excess of party spirit with which it had been carried on, and from the great conflicting interests opposed to each other, it may be ranked among the most violent contests in the kingdom. Bradford, Trowbridge, Westbury, and almost every town in the county, presented scenes of tumult and confusion.

The following statement of the poll is another proof that the number of plumpers is no testimony either of popular favour or of superior strength; such votes arise frequently out of adventitious circumstances; and, as in the present instance, often proceed in an inverse ratio of the total majority.

	Methuen.	Wellesley.	Bennett.
Plumpers . . .	185	412	445
General votes	2637	1597	1127
Total . . .	2822	2009	1572

R. Gordon, Esq. of Kemble-house, and J. Pitt, Esq. have been returned for Crickdale, to the exclusion of the other candidate, Mr Calley. At the close of the poll the numbers were—

Pitt . . .	715
Gordon . . .	602
Calley . . .	505

This contest was carried on with the greatest activity.

## SOMERSETSHIRE.

The contest for Somersetshire, which was carried on with great spirit by each party, terminated by Sir F. Lethbridge declining the contest. The following was the state of the poll:—

Dickinson . . .	2830
Langton . . .	2435
Lethbridge . . .	2024

A. Baring, Esq. and Sir W. Broughs are returned for Taunton, after a smart contest.

## DORSETSHIRE.

The Johnstone and town interests triumphed in the contests for Weymouth, in the election of Messrs Wallace, Lee, Buxton, and Williams. Final poll—

Williams	293
Buxton	205
Wallace	204
Ure	197
Murray	118
Warre	106
Webb	103

## DEVONSHIRE.

In the county of Devon, Sir T. Ackland declined the contest on the sixth day of the poll; when the numbers stood—

Ebrington	4090
Bastard	3820
Ackland	3804

This was as arduous a struggle as any county ever witnessed.

The election for Exeter was carried on with the same spirit which animated the county. At the final close of the poll the numbers were—

Courtenay	730
Newman	633
Northmore	293

## SCOTLAND.

## County of Edinburgh.

Clerk	79
Dalrymple	49

## Linarkshire.

Hamilton	56
Cochrane	45

This election produced more enthusiasm, and excited more personal interest, in favour of the popular candidate, than any contest in Scotland since the Union.

## Scots Representative Peers.

On the 24th of July, the following noblemen were elected at Holyrood-house, to represent the Scotch Peerage in the ensuing Parliament, viz.

## Peers' Names.

## No. of Votes.

Duke of Roxburghe	48
Marquis of Queensberry	54
— Tweeddale	56
— Lothian	57
Earl of Errol	56
— Home	56
— Kellie	54
— Balcarra	56
— Roseberry	54
Viscount Arbuthnot	45
Lord Forbes	51
— Saltoun	55
— Gray	55
— Sinclair	50
— Colville of Culross	47
— Napier	51

## Unsuccessful candidates.

Earl of Caithness	3
— Selkirk	13
Lord Reay	26
— Belhaven	36

## IRELAND.

The elections in this country have been conducted with a great degree of animosity. The numbers at the close of the several great contests stood as under :—

## County of Dublin.

Hamilton	783
Talbot	724
White	330

## Dublin University.

Plunkett	34
Croker	30

## County of Armagh.

Brownlow	1807
Richardson	1684
Caulfield	1281

## Cork.

Hutchinson	1112
Colthurst	738
Longfield	715

## Drogheda.

Ogle	201
Wallace	191

## County of Galway.

J. Daly	4880
J. B. Daly	2637
Martin	2609

<i>Town of Galway.</i>	
Blake . . . . .	486
Prendergast . . . . .	261
<i>County of Louth.</i>	
Latonche . . . . .	2375
White . . . . .	1471
Clements . . . . .	1460

This was one of the most severe contests in either kingdom.

<i>County of Limerick.</i>	
Fitzgibbon . . . . .	2476
Quin . . . . .	1729
O'Grady . . . . .	1450

<i>City of Limerick.</i>	
Vereker . . . . .	601
Rice . . . . .	305

<i>County of Tipperary.</i>	
Cahir . . . . .	5331
Mathew . . . . .	4273
Prittie . . . . .	3709
Barton . . . . .	589

<i>County of Wexford</i>	
Carew . . . . .	3335
Coleclough . . . . .	3180
Stopford . . . . .	3193
Valentia . . . . .	2968

A riot took place in Dublin after Mr Grattan and Mr Shaw had been re-elected for that city; the populace attacked the car on which the members were chaired, and tore it to pieces. The venerable patriot, Grattan, was struck on the head by a stone, and took shelter from the violence of the mob in a bookseller's shop; till Mr Phillips, the celebrated barrister, coming up, persuaded the populace, by a friendly speech, to disperse. There was also some rioting at the Drogheda election, and the military was called out. One man lost his life by a shot which was fired, according to the coroner's verdict, by some person unknown.

### JULY.

Porter brewed in year ending 5th July 1818.

	<i>Barrels.</i>
Barclay, Perkin, and Co	340,560
Trueman, Hanbury and Co	144,412

	<i>Barrels.</i>
Reid and Co. . . . .	168,962
Whitbread and Co. . . . .	131,107
Comb, Delafield, and Co. . . . .	130,217
Henry Meux and Co. . . . .	118,481
Calvert and Co. . . . .	97,920
Goodwyn and Co. . . . .	60,247
Filiiot and Co. . . . .	52,161
Taylor and Co. . . . .	47,775
Cocks and Campbell . . . . .	35,702

### Ale brewed in same period.

	<i>Barrels.</i>
Stretton and Co. . . . .	20,153
Wyatt and Co. . . . .	12,789
Charrington and Co. . . . .	13,151
Thomas Godling . . . . .	10,750
Ball and Co. . . . .	8,062
Hale and Co. . . . .	5,687

—The following is a copy of a letter addressed to the Commissioners of Customs.

*"Treasury Chambers, 9th July.*

"Gentlemen,—The Lords Commissioners of his Majesty's Treasury having received a communication from the Secretary of State for the Foreign Department, upon the subject of the preparations making at the different outports, and at the port of London, for sending out officers and men for the service of the insurgent troops in the Spanish and American provinces; their lordships desire you will direct your officers employed at the different ports to take measures to make known to such persons as have been engaged in this service by any Spanish American agents, or others, that they are thereby rendering themselves obnoxious to the laws, as warned by his Royal Highness's proclamation of the 27th November 1817; also that you will adopt such other measures as may be best calculated to prevent any interruption of the strict neutrality declared by the Prince Regent to be the rule of his conduct in the contest between Spain and the insurgent provinces.

(Signed) "GEOR. HARRISON."

19th.—**MARRIAGES OF THE DUKES OF KENT AND CLARENCE.**—The nuptials of these illustrious personages were solemnized on Saturday afternoon at Kew Palace, but at an earlier hour than was expected. About half past three o'clock the Archbishop of Canterbury arrived at the Palace in a chariot and four, and was followed by the Bishops of London and Exeter. His Royal Highness, the Prince Regent reached the residence of his royal mother at a quarter before four, where he was met by the whole of the royal family now in the country. There were also present—his Royal Highness Prince Leopold, the Lord Chancellor, the Earl of Liverpool, Viscount Sidmouth, the Chancellor of the Exchequer, Count Munster, Lord Keith, with a select number of the friends of the royal family. The ceremony was performed by his Grace the Archbishop of Canterbury, assisted by the Bishops of London and Exeter, soon after four o'clock, when the royal standard was displayed from the turret of Kew chapel, on the Green, to announce the circumstance to those in the vicinity of the palace. We understand that Prince Leopold gave his sister away, and that the Princess Adelaide was given away by the Prince Regent, both in the presence of her Majesty and their illustrious relations and friends. The Archbishop of Canterbury left Kew Palace soon after five o'clock, but the Lord Chancellor, the Earl of Liverpool, and Lord Sidmouth, remained there for a considerable time. Every thing was conducted in a manner the most private. We understand that her Majesty bore the fatigue of the day remarkably well. Between six and seven o'clock the Park guns announced this interesting ceremony to the inhabitants of the metropolis. The Duke and Duchess of Kent returned to

Claremont, and the Duke and Duchess of Clarence set off to Bushy Park.

After the ceremony, Mr Howse, the Sergeant of the Vestries of the King's Chapels Royal, was in attendance with his gold verge of office, and produced the registry book of the Chapel Royal, St James's Palace, when the Bishop of London, as Dean of that chapel, registered the marriages in the book accordingly, which was witnessed by the Queen, the Prince Regent, and all the branches of the Royal Family present. The Lord Chancellor, the Earl of Liverpool as Prime Minister, and Viscount Sidmouth, as Secretary of State for the Home Department, also signed the register book as three of the Privy Councillors who were present when the sanction in Council was given to the marriages.

The Duke of Clarence will soon leave England with his Duchess. It is rumoured that his absence will be as long as two years.

**THE AUSTRIAN COURT.**—Extract of a letter from Vienna, July 14.—“We went on Saturday to Baden, a bathing place within fifteen miles of Vienna, where are the Emperor, Empress, Maria Louisa, and young Napoleon. Dining at a tavern, I had in view at intervals, and for two hours, young Napoleon and his mother. He seems a very fine boy indeed, and his mother a majestic and beautiful creature. The Archdukes Charles and John, brothers of the Emperor, were likewise at Baden.

“Young Napoleon is, even at his age, under severe discipline as to education; he has six different masters, besides one superintending tutor. The boy is exceedingly sharp and acute. The other morning, when passing through the gallery at the Palace, (I had the anecdote from a gentleman present,) he suddenly stopped to observe a soldier on duty, and at once

putting himself in an erect position, he said, 'I think that is the man who helped to put my father in prison.'—It is thought that the boy is instructed to cherish the feelings of revenge—sworn like him of Africa at the altar."

—The University of Gottingen, so celebrated among those of Germany, has been thrown into confusion by an event which appeared very trifling.—A student passing hastily through a butcher market, overturned by mistake a child that happened to be in the road. Scarce had he lifted it up, when the son of the butcher approached the student, addressed him in abusive language, and, in a threatening tone, bid him begone from a place where he had nothing to do, otherwise he would meet with worse treatment. The student having returned abuse for abuse, the butcher gave him a blow, which was presently returned: Then the butcher, stronger than his opponent, seized him by the collar, and thrust him violently out of the market. The student hastened to report this treatment to his companions, who repaired presently to the vice-rector, demanding the punishment of the insolent butcher. The vice-rector declared the affair to be out of his jurisdiction; but referred the students and their complaint to the police. The police not having granted the satisfaction demanded, the enraged students determined to avenge their own cause: they assembled on the evening of the 11th July, rushed armed in a mass to the house of the butcher's father, where they entered by force with loud cries, and in the first moment of effervescence, committed the greatest excesses. The roofs were driven in, the windows and furniture broken in pieces, and no one dared to oppose the impetuosity of the turbulent youth. The magistrate and police went instantly an express to Hanover, to relate the facts, and to

ask direction and assistance. A commissary hastened to Gottingen to inquire into the affair and restore order. The commissary having arrived on the 18th, ordered the ringleaders to be delivered up to him, and all other persons to remain quiet. He posted up an order, that wherever four students should be found together in the streets or public places, they should be separated by an armed force, and that generally all assemblages should be punished.

From this moment, Gottingen was like a besieged city; the armed force, consisting of a detachment of hussars and infantry, bivouacked through the night; the hussars patrolled continually with naked sabres, while the infantry ran through all the streets with pointed bayonets. The students refused to give up their leaders, and formed assemblages in spite of the prohibition. The hussars undertook to disperse their meetings by force; quarrels took place between the students and the soldiery, which soon degenerated into battles. The *esprit du corps* was awakened among the numerous students, who regarded their cause as being common to all, and united to defend it. They assembled in arms, resolved to repel force by force. Mild measures were tried; the officers parleyed with the students, and summoned them to separate. They refused, and recourse was then had to force. The hussars received orders to charge; they drew their sabres, and many students were overthrown or wounded. But they opposed a vigorous resistance, and sold their lives dear. Two hussars are said to have remained on the place. Many were wounded, and the students by their numbers would have finally triumphed, if the infantry had not come to the aid of the hussars. Next day, most of the students, to the number of 6 or 900, left the city, and retired to Witten-

hausen, a small town in the electorate of Hesse, whence they wished to treat with the Hanoverian authorities, on the conditions of their return. As no answer was made to their propositions, a number who were foreigners, returned to their own country, loudly denouncing the University of Göttingen. Others, wearied by the firmness of administration, successively returned and resumed their studies. Peace, however, was not entirely restored at Göttingen, till the definitive judgment of the cabinet, which condemned the butcher Knisch, the first author of the quarrel, to fifteen days' imprisonment, bread and water—one student to exile, and some others to a few days' confinement; and the officer of police, whose firmness might have prevented the first disorders, to be banished from Göttingen. The wisdom of this decree was generally approved, but the university did not recover the students it had lost.

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## AUGUST.

**THE SPINNERS.**—A spirit of combination has for some time displayed itself among the cotton-spinners of Manchester, and appears to be gaining new strength. The misguided have, it is true, abstained from acts of open violence; but they still refuse to work, and have engaged in a war of discipline and tactics against the master manufacturers, the object of which is not the better on that account, while the means are of a more mischievous character, and likely to produce more converts to the cause than mere outrage and audacity could enlist in the support of it. An inflammatory placard had been exhibited, which the refractory workmen have had the po-

licy to disavow. They, however, parade the streets, endeavouring by their processions to overawe or seduce those labourers who have not already joined them; and to operate by sap, instead of storm, on the patience and courage of the masters.

3d.—Letters from Manchester, received this morning, state, that a meeting of the weavers was about to be convened there, expressly to frighten their employers into an advance of their wages, and that they had chosen a chairman and deputy. All was alarm in that disturbed place; soldiers were still proceeding in that direction from all quarters, and defiance and menaces were the characteristics of the crowd.

5th.—It is still our painful duty to notice the refractory proceedings of the spinners, which continue to disturb the tranquillity of Manchester, and are upheld by a dark but organised and persevering system, which threatens the most serious consequences. The designs of these mistaken people seem rather to be strengthened than impaired by their melancholy experience of the past, and while their numbers increase, they subject themselves and their families to increasing privations and miseries. It might be imagined that they could not find sufficient funds to maintain themselves and families during this illegal struggle with their masters; but it is asserted, that they have received considerable sums of money from the funds of other trades. They have their delegates and their committees, who hold concealed meetings, and superseding the authority of the laws, issue their mandates to thousands of ignorant and unthinking creatures, connected only by the seeming tie of self-interest. Under such painful circumstances, it will be observed with real satisfaction, that measures suited to the exigency have been seasonably adopted by the wisdom and



activity of the government, equally calculated to preserve the public peace, to break down and punish such unlawful and ruinous combinations, and to secure to the honest and industrious the means of supporting themselves and their families from sources which happily, at the present mament, are numerous and abundant.

PUBLIC NOTICE.

*"Police-Office, Manchester,  
August 1, 1818.*

"Whereas it appears, that unlawful combinations, to a considerable extent, have for some time prevailed amongst the persons usually employed in cotton factories, which combinations have recently manifested themselves, not only in great numbers assembling and parading the streets, but in besetting particular mills, and forcibly preventing well-disposed individuals from pursuing their employment; and whereas the last-mentioned practices have been already attended with breaches of the public peace, the boroughreeve and constables of Manchester therefore give notice, that it is equally their duty and determination to suppress, by every legitimate means, all tumultuous proceedings, and to bring to justice all who are concerned in the violations of the public peace, as well as protect the parties who are desirous of attending their work. And they farther give notice, that (independently of the serious consequences which the law inflicts upon those who are implicated in acts of tumult or outrage) the parties ordinarily concerned in the unlawful conspiracies before-mentioned, are liable to be prosecuted and punished, either in a summary way before two magistrates, under the Combination Act, which limits the extent of imprisonment, or by indictment at common law, which leaves the duration of imprisonment to the discretion of the

Court before whom the offenders may be tried.

"T. S. WITNINGTON, Boroughreeve.

"THOMAS SALTER, } Constables,  
"WM. SANDFORD, }

6th.—His Imperial Highness the Grand Duke Michael left Newcastle on Monday, and visited, on his way north, Alnwick Castle, the princely seat of the Duke of Northumberland. On Tuesday evening, about seven o'clock, his Imperial Highness and suite, in three carriages, with four horses in each, arrived at the Royal Hotel, Prince's-Street, where the grenadier company of the 88th regiment were stationed as a guard of honour to receive him.

Yesterday forenoon the Lord Provost, the Commander of the Forces, and several other gentlemen, waited on his Imperial Highness, after which, accompanied by his suite in two carriages, he visited the Parliament-house, the Advocates' and Writers to the Signet's Libraries, the Castle (the imperial standard was hoisted while the party remained in the garrison,) and the Palace of Holyroodhouse. At six o'clock his Imperial Highness gave a grand dinner to his suite, and several persons of distinction.

Yesterday, at a meeting of the Town Council, on the motion of the Lord Provost, it was unanimously agreed to present the freedom of the city to his Imperial Highness.

The Grand Duke Michael is youngest brother of the Emperor of Russia. He is a good-looking man, about 20 years of age, and nearly six feet high; is stout made, and of a fair complexion. His Highness is plainly dressed, after the English fashion, in a blue coat and white pantaloons. His suite consists of Baron Nicolay, Sir William Congreve, General Peakewetch, General Aledenskey, Dr Hamel, and Dr Michaelosky.

8th.—HUSSEY'S CONFESSION TO MR RUDGE IN HIS CELL.—“All along have I resolved never even to my dearest relations to divulge the secret, but to let it die with me. Your letter staggered my resolution, but I got over the difficulty. I am not the murderer, but I planned and instigated the robbery. The Almighty gives me the power to declare this, and to say, that in the blood of Mr Bird, his servant, or any one else, my hands were never imbrued. A man of the name of A. with one B. did it. We had accidentally met at Greenwich, and we became intimate with each other. We had learned that Mr Bird was very rich, and that he sometimes went to London to receive large sums of money. It happened the same day, as I was sitting with A. and drinking at the Tiger, we observed him sitting in one of his rooms at a table, whereon was a good deal of gold, and a number of what we thought were bank-notes. I ~~perceived~~ <sup>thought</sup> this would be a fine job. This led to something further being said, and I proposed the robbery, saying, let us meet this evening, and we will see what can be done. It happened, however, that nothing was attempted that night, nor was any thing finally settled upon, we not being agreed as to the parts we should take in the robbery. We again met, it may be about a week after, and my advice was, that we should try that very evening, and that I had provided a hammer to open the door with. We went all three, about half-past eleven, but finding no answer was returned to our knocking, and as there was ~~at~~ <sup>in</sup> great many people passing and repassing, we became disheartened; and recollecting what my washerwoman had said about Mr Bird's early hours, we all agreed to meet in the park at a certain spot; and to go from thence to Mr Bird's house, which we accordingly did, between eight and nine of the evening of

the murder. The plan was this:—I was to knock at the front door, and B. to get over or break open the side door, and so proceed round to the back window. While this was doing, A. was to engage the servant in conversation, until such time as he found B. had got in. I understood afterwards B. had great difficulty in doing it, but he at last did, when A. immediately knocked down and killed the servant with a mallet he had provided himself with, and B. rushed through the passage, and strangled Mr Birch, whom he soon did for with the hammer I had given him. While this was going on, I was standing out close to the Tiger's Head, and was to whistle if I saw any one coming, which I did twice, as there were two persons passed; but as the night was very foggy, and it was a little before eight in the evening, they seemed to take no notice of the light of the candle which the servant had in her hand at Mr Bird's door. I kept watch for about twenty minutes, and thinking them a long time, and that they might be discovered, I crossed the street, and gently tapped at the door. No one answered, nor did I hear any noise. Thinking this strange, I went to the side door, and tried to get in there, but found it quite fast. I then returned to the front door, but could not open it. I knocked again, and was at last let in. I forget now by which of the two; but he said, ‘We were at the top of the house, looking over what we had found, and you alarmed us.’ I went in, and in going up stairs, stumbled over the body of the servant, which we then moved out of our way. I was shocked to learn from them the fate of Mr Bird and the maid-servant; but B. said it could not be helped, as they found them (and particularly the old man) so resolute. After being in the house about five minutes, it was agreed that I should go out, and in

ten minutes they both came to me. I was then in the middle of the street, nearly opposite to Mr Bird's house, and it was so dark that no one could see me. We now went into the park, and by the light from a dark lantern, which A. had brought with him, we began dividing the property, which we tied up in a sheet. There were a great many articles, but the smallest part fell to my lot. They said that in the bureau a great many guineas were found, which it was agreed they should have, and I the bank notes and watches, &c. We then separated, and I went and changed myself. When I had done this, I came down privately, and went to a pond near Vansittart's-place, where I threw in both the mallet and hammer, which had been tied up in my bundle, and which the other two men requested me to take with me. I met A. and B. only once or twice afterwards. Their ship was, at the time of the murder, about to sail for the East Indies; and, in going to look after them about four or five days afterwards, I learned that the ship was gone. This was on the 11th or 12th of February last."

"The above is, to the best of my recollection, a correct statement.

(Signed) "JAMES RUDGE.

"Limehouse, August 8, 1818."

24th.—THE COTTON-SPINNERS' ADDRESS TO THE PUBLIC.—"We, the mule cotton-spinners of Manchester, consider it a duty incumbent on us to address the public at the present juncture, to contradict the many false statements and misrepresentations that have appeared in the public papers.

"We are stated in all the papers to have turned out for an advance of wages; this we admit to be in part true, but not absolutely so. Two years ago, when our employers demanded a reduction of ten hanks, they affirmed that the state of the market imperiously called for such reduction;

but when the markets would admit of an advance, they would willingly give it. We depended on their honour, and continued to labour for more than twelve months at the reduction proposed. About ten months since, on comparing the price of cotton and yarn, we found that the markets would allow our employers to fulfil their promise; we therefore solicited them to that purpose, and only wished to be reinstated in the same prices we worked at previously to that reduction. Some declared they could not give it; others they would not; but the greater part, that they would, if others did; but they should not like to be the first. Thus we continued working and soliciting for the last eight months. Though the demand for yarn has been unprecedented, and the consequent rise in twist great, they have still refused our just request, and in order to cause a belief that trade was in a declining state, gave notice, that their mills should only work three days a week, which appeared so extremely ridiculous, that the very children employed in factories laughed at it.

"It is asserted, that our average wages amount to 30s. or 40s. per week—it is evident that this statement was made by some individual either ignorant or interested. In 1816, the average clear wages of the spinners in Manchester, was about 24s.; they were then reduced from 20 to 25 per cent, and have ever since laboured under that reduction. And it is to be remarked, that spinners relieve their own sick, as well as subscribe to other casualties; the more, when they hours of labour, which are from five in the morning until seven in the evening, (and in some mills longer,) of submitting toil, in rooms heated from 70 to 90 degrees, are taken into consideration, we believe the public will say with us, that no body of workmen receive so inadequate a compensation for their labour.

"The next thing we would advert to is, our employers have asserted, that if they submit to our present request (which they admit is reasonable) it would not be long before we demanded another advance of ten hanks more; whatever some individuals may have said, we know nothing of, but the great majority of spinners have never said or intended any such thing. And we hereby declare, 'That we are willing to enter into a treaty, with our employers on fair and honourable terms.'

"We believe there is no species of labour so fraught with the want of natural comforts as that the spinners have to contend with—deprived of fresh air, and subjected to long confinement in the impure atmosphere of crowded rooms, continually inhaling the particles of metallic or vegetable dust, his physical powers become debilitated, his animal strength dwindles away, and few survive the meridian of life, and the grave is often the welcome asylum of the aged. His children!—but let us draw a veil over the scene, our streets exhibit their cadaverous and decrepit forms, and any attempt to describe them would be impossible.

"Let it not be understood that we attach blame to our employers, as applied to these calamities; they are perhaps inseparable from the very nature of the employment, and our masters may lament, but cannot redress them. All we ask is a fair and candid investigation into the grounds of our complaints, and we are confident that both justice and humanity will decide in our favour.

"We solemnly declare as men, as free, as loyal subjects, and well-wishers to a constitution, the spirit and letter of which will not countenance any thing like slavery and oppression, that we cannot obtain with the greatest possible industry the common comforts and necessities of life, at the present low prices, to labour hard is not

an easy task, but to labour hard and want is impossible. Let our masters consult their own hearts, and as the seat of justice and humanity, they will not long hesitate to grant our just request."

26th.—The accounts from Manchester communicate no alteration in the conduct of the refractory workmen. Two months have now elapsed since these deluded men have voluntarily deprived themselves of all honest means of supporting themselves and their families. In number, it is computed they amount to nearly fifteen thousand; the sum required to support such a body, at 6d. per day each, would amount to 375*l.* a-day; and for two months to 23,000*l.*; at 1*s.* per day it would, of course, be double. The masters seem more determined than ever to resist the demands of the workmen, and every precaution has been taken to preserve the peace, and quickly suppress all tendency to open riot. Nine individuals have been committed to Lancaster jail for trial, for a conspiracy to raise their wages.

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## SEPTEMBER.

4th.—The accounts from Manchester are important, and, we lament to add, of a most afflicting nature. They agree in stating, that on Wednesday afternoon, the 2d, the spinners in that town, aided by about 10,000 more from Stockport, paraded the streets, demanding an advance of wages. This demand not being, of course, complied with, they repaired to the mill of Mr Benjamin Guy, Ancoats Lane, which they threatened to destroy, and murder all who were employed in it. The consequence of this menace was, that the military and police, who had been stationed there for the protection of the mill, were compelled to fire.

Three of the turn-outs were wounded, two mortally. The accounts farther state, that upwards of 30,000 were assembled on the occasion; and add, that if some immediate steps are not taken, there is every probability that the consequences will be infinitely more serious. Baguely, jun. Drummond, and others of that class, were ostensibly at their head; while a person of some eminence in the law attended them daily, for the purpose of setting the police at defiance, by counselling and defending the rioters. Such is the substance of the advices from that distracted town and neighbourhood. A deputation, at the head of which was Mr Horrocks, member for Preston, waited on Ministers on Friday, with every particular which had reached the city.

7th.—**MANCHESTER SPINNERS.**—John Milne, Esq., the coroner, having summoned a most respectable jury, proceeded on Friday to investigate the cause of the death of Thomas Brookes, the spinner, aged 22, who died in the Infirmary on Thursday morning, in consequence of the wounds he received in the attack made on Mr Gray's factory, about noon on the Wednesday. It appeared in the course of the evidence, that he was a most active assailant on that occasion; and the jury, after a patient investigation of eight hours, during which many witnesses were examined who were spectators of the whole transaction, returned a verdict of *Justifiable Homicide* on the part of the defenders of the mill. Indeed it is hardly necessary to repeat an axiom which has been maintained and enforced so often by our enlightened Judges, that it is lawful and right for men to defend their property, and if assailed, to have recourse to the most severe remedies for its preservation.

It appears that the refractory spinners at Manchester attempted to pro-

ceed on Friday to join the weavers at Ashton-under-Line; a great number had actually set out, when they were met by General Sir John Byng, and several magistrates. The following notice, issued by the magistrates of Manchester, was communicated to the rioters, and, after some persuasion, the latter returned back to Manchester.—

“ **PUBLIC CAUTION.**

“ Whereas the town of Manchester has, for some time past, been disturbed and agitated by the assembling of multitudes of persons engaged in unlawful combination, who have walked in procession through the public streets; and, whereas within these last two days, outrages of a most daring and desperate nature have been commenced by the journeymen cotton-spinners and others who have obstructed the peaceable and well-disposed inhabitants in the lawful pursuits of their trade, and have attacked the mills of some of their masters, where their spinners have been at work. Now, as the undersigned magistrates for the division of Manchester, do declare, that we have, with deep regret, observed the long continuance of these assemblies and processions of the voluntarily unemployed labourers of the different trades of the district, which we have forborne to interfere with, in the hope that the good sense of the individuals concerned therein would have returned, and that the peace and order of the town would have been restored, without resorting to strong legal measures; but inasmuch as forbearance has had the effect only of producing evil, of a more dangerous tendency, we are ourselves bound publicly to pronounce, that the before-mentioned assemblies and processions are, in our judgment, illegal and dangerous to the public peace, and we hereby caution all persons henceforward to abstain from engaging in such proceedings, and we earnestly recommend

all persons to remain in their own houses, or at their lawful occupations, and avoid going into any part of the town where these disorders may prevail; and we do farther declare our determination to disperse and prevent such unlawful and dangerous assemblies and processions, as may, after this notice, appear in the public streets, and by all lawful means to protect the well-disposed and industrious, and to bring to justice such as shall be found offending.

"Witness our hands, the 4th September 1818.

(Signed) "R. WRIGHT.

"J. NORRIS.

"W. MARRIOT.

"C. W. ETHELSON."

**PASSED.**—"A meeting of the non-represented inhabitants of the county of Middlesex will be held in New Palace Yard, Westminster, on Monday next, at 12 o'clock, to take into consideration the propriety of making a public declaration of their rights; to adopt the most effectual measures for redressing their wrongs, and to remonstrate with the crown to remove those grievances, which are now become insupportable.

"HENRY HUNT, Esq. in the Chair.

"N. B. The chair will be taken precisely at 12 o'clock.

"E. J. BLANDFORD, Chairman to the Committee.

"JAMES WATSON, Secretary to the Committee."

**7th.—PARLIAMENTARY REFORM.**

—This day a meeting was held in Palace Yard. The purpose of it was declared to be, to draw up a declaration of rights, and a remonstrance to the Prince Regent, in order to procure to the people of England a reform, by the establishment of annual parliaments, universal suffrage, and election by ballot. The persons invited to attend were the unrepresented inhabitants of Middlesex, in behalf of them-

selves and their suffering and injured fellow-countrymen.

The meeting was appointed for 12 o'clock, but the chair was not taken by Mr Hunt until half past twelve, when not more than about 500 persons were present, but those apparently the zealous friends and supporters of the chairman.

Mr Hunt opened the business of the day, stating the object of the meeting to be to secure to all classes of the King's subjects the elective franchise, of which they were now unjustly deprived by a faction of boroughmongers, who had usurped into their own hands all the powers of the three estates of the kingdom. He denied that he had ever expressed any unwillingness to attend this meeting, though he had wished it to be postponed from Monday last until now, in order that he might fulfil an engagement with some friends to go out and shoot partridges. He had not, however, slunk off to Cork, as the venal editor of the Courier had asserted, and as two other corrupt newspapers had repeated. He lamented the absence of several gentlemen who had promised to attend on this important day, to support the declaration and remonstrance which were to be proposed, instead of the idle mockery of a petition to the House of Commons. He entreated the meeting to preserve order, and to hear all sides, should any of the agents of government think fit to address the assembly.

The next person who stood forward was Dr Watson, who began a speech of considerable length, by regretting that it had unexpectedly fallen to his lot to propose the declaration of rights and liberties, which the meeting were this day to adopt as an example to the united empire. The people at large had too long been insulted by pretences of reform, by promises which had never been fulfilled, and by pro-

jects which were never attempted to be executed. It now, therefore, became them to act for themselves, to make a stand in defence of all that was dear to them, and to resist the farther progress of an arbitrary military despotism. For his own part, he had very early seen the attempt to subvert the constitution of the country, and to the utmost of his power he had resisted it on all occasions, though he had not until lately come forward in public. It was obvious ministers cared only for themselves, and the Prince Regent was only employed in the manufacture of his punch and the cut of his coat, so that he allowed his servants to play what pranks they pleased, and to trample on his subjects with the most wanton cruelty.

He then proceeded to read a long paper, entitled a declaration of rights, enumerating existing evils, and proposing remedies, the chief being parliamentary reform. This declaration having been carried unanimously, Dr Watson again stepped forward with a remonstrance to be presented to the Prince Regent. He conjured all the inhabitants of the country to join in this great object, insisting that in the manufacturing towns the hardest labour could not procure subsistence, and that in Norfolk and Suffolk the agricultural servants never tasted animal food. It was the duty of every man to resist a system producing such consequences, and Judge Blackstone had said, that it was a right inherent in every Briton to resist oppression.

The remonstrance was seconded by two or three unknown speakers, and it was carried, with a vote of thanks to Hunt's 84 electors of Westminster, and with another vote of thanks to the chairman.

Mr Hunt took this opportunity of expressing his gratitude, and of condemning the conduct of the magistrates towards the ancient cotton weavers of

Manchester. He hoped to see them brought to condign punishment.

A question then arose as to the mode in which the remonstrance should be presented to the Prince Regent. The chairman observed, that the great object was to set an example to the whole nation, and whether the remonstrance met the eye of the Sovereign, was of little consequence. He suggested that the meeting should go in a body to Lord Sidmouth's office, for the purpose of delivering it, that the Secretary of State might lay it before his Royal Highness.

The proposal was agreed to clamorously, but Mr Hunt recommended that the utmost order should be observed. He then left his seat, and marched at the head of the mob to the Treasury, in Whitehall; and when he arrived there the crowd had increased to more than 1000 persons, but not the least disturbance took place. Mr Hunt went into the office, and when he had delivered the remonstrance into the hands of Lord Sidmouth, he returned and stated publicly, that his Lordship would give an answer in three days. The crowd then dispersed quietly.

“Whitehall, September 8.

“SIR,—Lord Sidmouth has directed me to inform you, that as the paper containing the declaration and remonstrance addressed to the Prince Regent, which you put into his lordship's hands yesterday, purports by the description therein given of it, to contain the declaration and remonstrance of the inhabitants of the cities of London and Westminster, and parts adjacent, and as this description is evidently and notoriously untrue, his lordship does not think himself at liberty to lay the same before his Royal Highness. I am, &c., your obedient servant,

“HENRY CLIVE.

“H. Hunt, Esq. 8, Norfolk Street, Strand.”

9th.—The accounts from the disturbed districts in Lancashire and Cheshire are more favourable; the prospect of affairs begins to brighten in these counties. Three of the Stockport orators have been taken into custody, under a warrant from the Chief Justice of Chester. The agitation at Manchester was extremely great on Sunday night, in consequence of the burial of Thomas Brookes, the spinner, who died in the infirmary on Thursday evening. It will be remembered that this man was shot during the attack on Ancot's Cotton-twist Company's Mill. Several thousands were assembled to witness the interment, under feelings which occasioned apprehensions of farther outrages. None had, however, taken place up to a late hour on Monday morning, as the verdict of the jury of justifiable homicide had made a deep impression on the minds of all the working classes, and the determination of the magistrates to carry into effect the preservation of the public peace, the measures announced in the "Public Caution" they had issued, was fully known. The conviction of the combined and riotous workmen at Chester, before Mr Serjeant Best, has also been productive of salutary results. The following is an extract of a letter, dated Manchester, September 6:—

The combination of the spinners seems to be breaking up fast, as many of the masters yesterday received a request from their men to be reinstated on the same terms as before the turn-out; and we expect in the course of next week to see all our mills at full work again.

14.—CROWN AND REGALIA OF SCOTLAND.—A warrant has been issued under the sign manual, and a commission expedite under the Great Seal of Scotland, appointing his Grace the Duke of Gordon, Robert Vis-

count Melville, the Right Honourable Archibald Colquhoun, Lord Register, the Right Honourable Alexander Maconochie, Lord Advocate, and the Right Hon. David Boyle, Lord Justice Clerk, Commissioners for keeping the Crown and Regalia of Scotland. We hear that, at a meeting of the Commissioners, held in the Register Office on the 19th ult. Captain Adam Ferguson was appointed Deputy-keeper.

*Paris, September 14.*

Her Royal Highness the Duchess of Berri has been for eight days past confined to her apartments. The unquiet state of this Princess induced the physicians to recommend this precaution. Yesterday, at two o'clock in the morning, her Royal Highness experienced considerable pain. The Princesses, on being informed of her situation, repaired to her residence at the early hour of three. The pains of labour soon after came on, and at six o'clock she gave birth to a Prince, who only survived two hours. At half past three his Majesty went to the Palace de l'Elysee Bourbon, to see her Royal Highness.

The following bulletin was issued: "Her Royal Highness Madame the Duchess of Berri, having advanced upwards of four months in a state of pregnancy, peculiar circumstances led to the necessity of her being bled in the arm, and the use of other remedies."

"Notwithstanding every precaution, a miscarriage took place this morning at six o'clock, of a male child, which survived about two hours. The situation of her Royal Highness the Duchess de Berri is satisfactory."

(Signed) "BOUCON.

"DENEUX."

*"September 13, 1819."*

24th.—Government, with a view to strengthen the measures already existing for the suppression of smuggling,



have determined upon stationing a stated number of lieutenants, 120 midshipmen, and 1000 seamen, on the coast of Kent and Sussex. It is intended that the officers and men shall be divided into parties, each to occupy a Martello tower. They are to keep watch by night, and thus, by their alacrity, intercept the acts of illicit traffic, which the arrangements at present adopted are inadequate to prevent.

**DREADFUL EXPLOSION.**—On the 28th a most dismal calamity occurred at Nottingham, at the Canal Company's Wharf, by the explosion of a quantity of gunpowder on board a boat lying in the basin, where some men were employed in landing a cargo. The report was so tremendous as to be heard at a distance of many miles, and every house in the town was shaken as if by an earthquake. The Company's warehouse, with all its contents, was completely blown into the air, and not a vestige of the building remains. The fragments were scattered over the meadows to a considerable distance, and the boat was in part shivered to pieces, and the rest sunk. Several roofs were carried off from the adjoining buildings, lead and tiles torn off, window frames blown out, and hundreds of windows demolished. But the most dreadful part of the calamity is the extensive destruction of human life, *not less* than eleven persons having been precipitated into eternity, besides two taken to the hospital who are not expected to survive. The bodies presented a shocking spectacle. Most of them were married men and had families. The accident (as related by a boatman belonging to another vessel lying near, and who happily escaped with a few slight bruises) originated by a youth of the name of Cross, the son of a boat owner, imprudently fetching a hotinder from another boat, and applying it to some loose powder

which lay scattered about, with a view of having a "flash," as he termed it. The consequence was, that the fire communicated instantly by a sort of train to the cask from whence it had dropped out, which ignited, and setting fire to five other barrels, the whole exploded with a most tremendous noise. The damage is estimated at many thousand pounds—some calculations go as high as 30,000*l*.

30th.—We are enabled to give a few particulars as to the present situation of our venerable Sovereign, which may not be uninteresting to our readers; and particularly so when such a studied silence prevails on the subject. His Majesty is perfectly blind, and occupies a long suite of rooms, through which he is almost continually strolling. Several piano-fortes and harpsichords are placed at certain intervals, and the Monarch frequently stops at them, runs over a few notes of Handel's Oratorios, and proceeds on his walk. He dines chiefly on cold meats, and frequently eats standing—~~he has~~ a silk plaid dress, and will sometimes stop and address himself to a noble duke or lord, thus holding a colloquy, and furnishing their answers. The King suffers his beard to grow two or three days, seldom, however, exceeding three days. His hair is perfectly white. The Doctors Willis attend with the other physicians, but not with the privacy of the King. He is quite cheerful in his conduct and conversation, eats very heartily, and enjoys good bodily health.

"Paris, Sept. 30.

"The following intelligence concerning Buonaparte is widely circulated at Paris. It proceeds from a respectable individual who has just reached Marseilles. He embarked at Bengal on board an English vessel. On touching at St Helena to supply the ship with water, orders were dispatched for the vessel to quit the anchorage ground,

and lay to at cannon-shot from the batteries until what was wanted was sent out. Several officers from the island dined on board; from them the particulars I subjoin were collected.

"Buonaparte seems in better health since he has resolved to walk out and take occasional exercise in hunting and fishing. To render this latter amusement compatible with his safety, a circuit has been prepared at the mouth of the river, and one end of it is barricaded with an iron lattice, in order to close up the passage of boats to the ocean. Four handsome fowling-pieces and six pointers have been sent out to him from London. Buonaparte is permitted to carry a sabre, as a defence against dangerous or troublesome animals when he walks in the interior of the island, but he is not allowed to wear a sword. The English officers amused themselves with relating the abrupt manner in which he pays his court to the women. The persons composing his suite are not permitted to assist him with the titles of sovereignty when strangers are present.

"The prisoner is believed to be more resigned to his fate, since he has the entire conviction of the irrevocable loss of his liberty. His residence is daily improved by the arrival of costly furniture, and every month a frigate, which sails from England, is charged by the care and attachment of some of his partisans, with all the precious novelties this kingdom produces.

"No human power can imagine a mode of evasion. The garrison is perpetually on the alert. The service is so active, that the troops are relieved every six months, and that independently of the high pay, this period is counted double."

## OCTOBER.

1st.—CONGRESS AT AIX LA CHAPPELLE.—The King of Prussia arrived on the 27th September, at four in the afternoon, with a small retinue. The Emperor of Austria arrived on the following day at half past twelve. A hundred and one discharges of cannon announced the entry of the emperor. Some minutes after, he went to pay a visit to the King of Prussia. His Majesty the Emperor of Russia, who was expected at five o'clock in the evening, did not arrive until ten. The street of Cologne, magnificently illuminated, presented the most brilliant spectacle. The people saluted, with continued acclamations, the august monarch of the North. The two emperors were so eager to see each other, that they met in the street half way from their respective lodgings. All the ambassadors being met, the conferences began on the 29th, and were continued without interruption.

"September 29th.—I sit down to-day, without having any thing farther to record than a round of royal visits, ceremonies, presentations, and parade; and probably history, if she condescends to be so minute, will have little else to detail of these two days than such transactions. Yesterday the receptions and friendly visits took place. To-day similar ceremonies were repeated, with more pomp and form. All the courtiers and corps diplomatique were at their posts by an early hour, and their business (if it may be called such) continued with great activity to a late hour in the afternoon. The Emperor Alexander waited upon the King of Prussia and the Emperor of Austria before eleven o'clock, and their majesties returned the visit a short time afterwards. The King of Prussia came first, and remained some

time with his Imperial guest. The Emperor of Austria arrived within a quarter after twelve, in a splendid equipage, consisting of three carriages, in the first of which were himself and a distinguished person whose name we could not learn. Two general officers occupied the second, and two chamberlains the third. These three carriages drove up into the great court, before the hall of entrance. His Imperial Majesty remained upwards of a quarter of an hour. His Excellency Count Benningsen, General-in-chief in the service of Russia, who had arrived on Sunday, came nearly at the same time to pay his homage to his imperial master, and remained in his hotel till two o'clock. Lord Castlereagh arrived a little after twelve, when the Emperor of Austria had gone, and remained with his majesty for nearly half an hour. None of his suite accompanied him. As he was descending the great staircase, after taking his leave, the Duke of Wellington drove up into the court in a grand style, accompanied by Colonel Harvey and two other aides-de-camp. His Grace remained a considerable time with his Imperial Majesty, who, as soon as the former had left him, mounted his plain unornamented carriage, and drove off to the quarters of the King of Prussia. A handsome anecdote is connected with this visit, which, as it redounds both to the credit of the hero of Waterloo and the monarch who could appreciate his services, deserves to be mentioned. His Grace sent in the morning one of his Russian aides-de-camp to inquire what time it would be most convenient for his Majesty to receive his homage; the Emperor, without returning a direct answer to this message, privately descended the staircase, and ordering his carriage to be brought, drove off to the hotel of his Grace, to pay him that compliment

which the latter was anxious to pay him, and to anticipate an offer of respect by conferring a delicate and unexpected honour. The town, which has been filling fast for some days, is now crowded with strangers. Without including the great numbers who arrived to-day and yesterday, there arrived on Saturday and Sunday 153 persons, whose names are thought of sufficient consequence to be placed in a printed list of arrivals. These, you will conclude, are not all persons of distinction, when I mention that among them are violin-players and *marchands de modes*; but the following extracts of this list will shew the quality of them. You cannot fail to remark the great preponderance of Russians:—

## AUSTRIANS.

Prince de Metternich.

Comte de Mercy, Counsellor of State.

Compt Zichy, Ambassador from the Court of Austria to Berlin.

Baron Alphonse de Pont, Secretary for Foreign Affairs.

## ENGLISH.

Lord Castlereagh.

Duke of Wellington.

## RUSSIANS.

Comte de Nesselrode, Secretary of State to the Emperor of Russia.

Comte Capo d'Istria, Secretary of State to the Emperor of Russia.

Comte de Stackelberg, Privy Counsellor of the Emperor of Russia.

Comte Golowkin, Minister from the Court of Russia to Vienna.

Prince Menchikoff.

Prince Bazile Galitzin, Gentleman of the Chamber to the Emperor of Russia.

Comte Gustav Malachowsky, Gentleman of the Chamber to the Emperor of Russia.

Comte Alopæus, Ambassador from Russia to Berlin.

Comte Ojarowsky, Aide-de-camp to the Emperor of Russia.

Comte Benningsen, General-in-chief.

Comte Nesselrode, Aide-de-camp to the Grand Duke Constantine.

General Baron Jomini, Aide-de-camp to the Emperor.

Baron Beckendorff, Major-general.

Comte Schouwaloff, Aid-de-camp to the Emperor.

M. d'Obreskoff, Gentleman of the Chamber to the Emperor.

General Czernicheff, Aide-de-camp to the Emperor.

Major Baron d'Armfeldt.

#### PRUSSIANS.

Prince Hardenberg.

Comte de Bernstorff.

Lieutenant-general Boyen, Minister of War.

Baron Altenstein, Minister of the Interior.

Prince de Sayn Wittgenstein, Minister of Police.

General Muffling.

General Thielmann.

M. Scheel, Counsellor of War.

#### FRENCH.

The Duke de Richelieu.

Comte de Caraman, Ambassador from France to Vienna.

Comte Georges Caráman, first Secretary of Embassy at London.

Baron Mounier, Counsellor of State.

M. Bonrjot, Maitre de Requetes, Chief de la Division due Nord, aux Affaires Etrangères.

"The gay equipages and brilliant decorations of these strangers give this small city all the appearance of a great court on a levee-day. We never saw so many stars in our life-time—they appear as numerous at Aix la Chapelle as in the firmament; every sovereign is surrounded with his constellation.

The grotesque appearance and the affected dress of some of the students who have arrived here from the universities, excite nearly as much attention as the Cossacks about the household of the Emperor Alexander. It would not be complained of if the other governments of Germany would follow an apparently very arbitrary regulation now issued by Austria, forbidding their students to travel during their vacation, till they had laid aside their antiquated and affected fopperies. Madame Catalani is now at Dresden, and is soon expected at Aix la Chapelle.

"It would be difficult to form an idea of the activity of the Emperor Alexander. He seems to be every where at the same time. All who approach him are astonished at his penetration, and the promptitude with which he seizes the important point of an affair. He is himself first minister, and directs at the same time the department of foreign affairs; of police and of finances, without his pleasures making him forget for an instant the task which he has imposed. He does not go to bed till two in the morning, and rises at six. Sometimes he even denies himself these four hours, and merely sleeps one hour in an elbow-chair at any leisure time during the day. Such is the power which he has acquired over himself, that this short period suffices. The day following that of his arrival, he changed his dress four times, out of deference for the persons whom he was going to visit. After having done business during the morning in his ordinary dress, he went to see the King of Prussia with the uniform of a colonel of the Prussian guard; in the evening he visited the Emperor of Austria, in that of a colonel of the Austrian guard; and resumed the Prussian uniform to go to the ball which was given by the city.

"While the two other sovereigns were at the reviews of their troops, the Emperor Alexander had the goodness

to sit to the English painter, Sir Thomas Lawrence, sent by the Prince Regent of England to take the portraits of the three sovereigns.

"A singular personage has arrived at Aix la Chapelle; this is Mr Owen, an Englishman, of New Lanark, author of a plan to civilize the lower classes of society by *parking*, if we may so speak, indigent families in villages, where they would be subjected to a regimen combined of quakerism and jesuitism. They would be supported by the produce of their labour. Mr Owen has been presented to a great sovereign, who does not disdain any idea from which the relief of human misery may be hoped; and he had a long conference with his Majesty on the object of his labours."

#### ROYAL BOROUGHES OF SCOTLAND.

—The following is the annual income of the Royal Burghs of Scotland, who send members to Parliament, as stated in the Appendix to the Report of the Committee of the House of Commons, appointed to examine into the state of their jails.—(Fractions are omitted.)

Edinburgh	L.45,000	Arbroath	L.1100
Glasgow	15,000	Irvine	1000
Annan	6000	Inverness	1551
Anstruther (E.)	65	Jedburgh	570
Anstruther (W.)	1650	Kirkcaldy	500
Banff	393	Kircudbright	1005
North Berwick	120	Kilrenny	9
Brechin	250	Lanark	635
Burntisland	300	Lauder	180
Campbeltown	200	Linlithgow	500
Cupar	800	Montrose	1700
Dingwall	153	Peebles	740
Dornoch	8	Perth	6000
Dumbarton	658	Pittenweem	300
Dunfermline	1500	Rothsay	168
Dunfries	2200	St Andrews	150
Dunbar	600	Stirling	2320
Dundee	2750	Stranraer	750
Dysart	295	Tain	225
Elgin	270	Wick	40
Haddington	1000	Wigton	256
Inverary	110	Whithorn	115
Inverberry	50		

There are no returns from the burghs of Aberdeen, Clackmannan, Lochmaben, Sanquhar, Cullen, Kintore, Inverury, Rutherglen, Renfrew, Nairn, and Kirkwall.

16th.—A most atrocious murder was committed this day on a female child, Mary Albert, Thomas-Street, Keht-Road. The following evidence was given before a magistrate:—"Sarah Williams, grandmother to the murdered child, residing with Mr and Mrs Albert, the parents, stated, that her grand-daughter was about four years and a quarter old. On Friday evening Robert Dean came to the house of Mr Albert, about seven in the evening, accompanied by the prisoner. They afterwards went out together, and, in about a quarter of an hour, Dean returned alone. He had always appeared remarkably fond of the child, and she was extremely attached to him. She was playing in the street when Dean returned, and Mrs Williams called her in, and told her that Mr Dean was come. She immediately left off playing, ran to Dean, and upon his taking her up put her arms round his neck. He then said that he should buy her some apples, and took her with him to a neighbouring shop for that purpose; not returning home immediately, Mrs Williams went out to look for the child, and observing her in Dean's arms with an apple in her hand, she was about to return, when Dean requested her to go to a shop a few doors off and purchase some articles for him. She did as he had requested, but had not been in the shop more than two minutes when she heard a cry of murder, and saw a great number of persons run towards her daughter's house. She made all possible haste to the same place, and upon arriving there saw the child, being supported by her father, and the blood streaming from a dreadful wound in the throat. Dean was gone. The un-

fortunate infant languished about half an hour and expired; and another wound was then discovered on the lower part of the stomach. The circumstance occurred about eight o'clock, or a quarter after.

"May, an officer, upon hearing of the transaction, went to St Thomas's-street, to the residence of the parents, for the purpose of making inquiry and obtaining information. He arrived a little before nine, the child was then dead, and Mrs Albert in a fit. The evidence given by Mrs Williams corresponded in every particular with what he heard upon the spot where the murder was committed. Some other circumstances came to his knowledge, which appeared to explain in some measure the motives of the murderer for the perpetration of the horrid deed. During the visit of Dean on Friday evening, Mrs Albert chided him, in terms of great severity, for having formed some improper connection with persons of depraved character, and for squandering away his money upon his immoral associates. He appeared to be extremely hurt at her remonstrances, but said nothing that indicated an intention of taking any sort of revenge for the freedom with which she had spoken to him. About eight o'clock Mrs Albert was horror-struck on perceiving her child staggering into the room where she was sitting, with a dreadful gash in her throat, from which the blood flowed in a torrent. The poor little infant cried, 'Mother, mother!' and fell down. Dr Walshman and two medical men were sent for, and did every thing for the little sufferer that could be performed by skill and experience."

20th.—The coroner's inquest was held on the body of Mary Albert. In the course of the evidence, Dean was brought in, and the following statement was given.

Joseph Myatt, an officer of St Andrew's, Holborn, sworn.—About a

quarter of an hour before five o'clock that morning, a man, who said his name was Robert Dean, came to the watch-house of St Andrew's, Holborn; he said that "he came to surrender himself, for he was a murderer, and could not hold out any longer." Witness asked him what murder he had done? and he said, "he had murdered a child over in the borough;" he seemed very much agitated, and asked leave to warm himself; witness told him that he might if he thought proper; witness took him from thence to the Poultry Compter: on the way witness conversed with Dean, and asked him how he came to commit the dreadful act. Dean replied, "Why, the devil was over him." Dean begged that he might be well used in prison; witness promised he should; Dean said that he was, during the whole of Monday last, lurking about Bow-street Office, in hopes that some one would recognise him, but as no one did, he had not courage to resign himself up; he had been wandering about ever since he committed the crime; and he went to a chapel in Moorfields, and heard a sermon preached, which so affected his mind, that he resolved to surrender himself up to justice; he said he was quite sober when he committed the act. Dean appeared perfectly composed when he gave the above relation.

The coroner having said a few words, the Jury returned a verdict of—"Wilful Murder against Robert Dean."

Before Dean was removed from the Rockingham Arms, the coroner ordered the constables to bring him (Dean) into the Jury-room. He was brought in, handcuffed, to May, the officer of Union Hall.

Mr Jemmett asked which was Robert Dean.

Dean burst into tears, and in great agitation said, "I am that unfortunate man."

Coroner.—I am sorry to see you charged with such a horrid crime.

Dean (beating his forehead in great agony with his right hand) said, "It is a dreadful thing surely."

Coroner.—It is my duty to commit you ; I have issued my warrant, and I hope you will think of your awful situation, and may God have mercy upon you.

Prisoner (writhing with agony)—  
"I hope he will."

The prisoner was then conveyed in a hackney-coach to Horsemonger-lane gaol.

On Monday morning the Magistrates at Queen's Square seeing the account of the murder in the newspapers, the name and the exact description of Dean, who was attested before them on the preceding Friday, it struck them with great force, that in all probability the man who was sworn in was the murderer. They directed the clerk to refer to the attestation book, and there he found the name of Deap, his height and description exactly corresponding with the account in the paper. Couper, an officer, was dispatched by the magistrates to the rendezvous, and he waited at the Robin Hood, instead of going to the Ship, in Wardour Street, or in all probability he would have taken him the day before he surrendered.

Dean bore an excellent character in a regiment to which he belonged ; his father is a respectable farmer, residing within about seven miles of Bury St Edmund's, and to procure his discharge, about two years ago, paid 40*l.* for two substitutes.

*Dean's Confession.*—During the time that the inquest was held at the Rockingham Arms, Dean was placed in a private room with May and several other officers. Dean whispered to May, that if he were left alone with him he would relate to him the whole particulars of the dreadful transaction. May requested every person present to leave the room, and the prisoner then made

the following confession, which we give verbatim :—"On Friday evening last I met a young man named Joseph Williams, with whom I had long been intimate, at Mrs Hulbert's house, in Jaques Court, Thomas Street. I had long been acquainted with a young woman, named Sarah Longman, daughter of Mr Longman, at the Grapes, Church Row, Aldgate ; my affection for her was extremely great ; I had for some time past corresponded with her. A dispute unhappily arose ; I wrote to her upon the subject, expressing my regret at the unfortunate rupture ; described the very great regard which I entertained for her ; implored her to consent to a reconciliation ; and begged that she would write me early an answer. She never replied to my letter. Her father called upon me, and wished that the connection might be discontinued. These circumstances had an indelible effect upon my mind ; I was miserably unhappy, was incapable of attending to any business, and gave myself entirely up to despair. I endeavoured to prevail upon her to renew the correspondence. I felt that I never could be happy in this world without her, and determined to leave it. Thoughts of a dreadful description entered my mind, and must have proceeded from the devil. I felt that I should leave the world in a state of happiness if I could murder her, and determined to perpetrate the deed. I have been from home two days, business not being very brisk, and on Friday evening I called to see Williams, at Mrs Hulbert's, and we both came out together, and walked as far as the Surry Theatre. We did not go in ; I told Williams that I wanted to see a gentleman in the Borough, and should go that way. We parted, and I returned to Mrs Hulbert's. After talking in a friendly manner with the family, I asked for a knife, and they supposing that I want-

ed to cut some bread, gave me a case knife. I took an opportunity of concealing it unperceived in my pocket. I shortly after went out with the child to buy her some apples, which having done I returned to the court. A sudden thought came over my mind, that if I murdered the child, who was innocent, I should not commit so great a crime as in murdering Sarah Longman, who was older, and, as I imagined, had sins to answer for. In a moment I pulled the knife out of my pocket, put the child down out of my arms, held her head back, and cut her throat. In an instant I imagined that I was in the midst of flaming fire, and the court appeared to me like the entrance of hell. I ran away, not knowing where I went, or what I did; I wandered about in a state of distraction, until I surrendered myself up at the watch-house."

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## NOVEMBER.

### DEATH OF SIR SAMUEL ROMILLY.

*From the Courier.*

It is with feelings of unaffected sorrow that we announce to our readers the melancholy catastrophe which has terminated the existence of the above distinguished character. Differing from him, as we did, upon most political subjects, we never had but one opinion as to the amiable qualities which adorned him in private life, and at a moment like the present, we wish only to remember the latter. Had he been removed from this world by the ordinary dispensations of Providence, his loss would necessarily have created a considerable sensation, because for many years he had been much in the public eye; but it is most distressing to con-

template the calamitous circumstances which have attended his death. We are accustomed to view, with comparative indifference, the melancholy end of an obscure suicide; not so, when genius, and talent, and virtue, are extinguished by the dreadful act. It is stated that the acute feelings of distress which he felt at the loss of his lady, who expired in the Isle of Wight on Thursday last, was the immediate cause of this rash deed; yet, when we are also told that Lady Romilly had been lingering under the pressure of a hopeless disease for nearly twelve months, it seems difficult to admit this as the exclusive cause; because there was room for that patient though severe self-discipline which arms the mind of man against foreseen calamities. It is sudden misery which overwhelms, which paralyses, in its first onset, our reasoning faculties, and plunges us into that paroxysm of passion whose intensity hurries on its victim to the readiest escape from the agony of mental torture. Far are we, however, from denying that a character of extreme sensibility, of that sensibility which lives and moves, and has its being almost entirely in the endearing scenes of domestic felicity, may find any length of time still too short to harden it against the shock which it sustains, when the very source of that felicity is for ever closed. There are some men who embark all their freight of worldly happiness in a single venture, and when that is shipwrecked, their desolation and misery are extreme. This, perhaps, was the amiable fault of the individual whose melancholy end we deplore; and if it were so, too well we can understand what a dreary blank pictured itself to his imagination, even in the bosom of his family, when she who had till now presided there, whose maternal virtues graced, and whose conjugal affection endeared, the calm delights of home, was irrevocably gone.



It is impossible, however, not to lament, that a mind so gifted in all the other endowments of human excellence, should have been denied that degree of Christian resignation which submits, though in sorrowing, to the will of Heaven, or that reasoning energy, whether we call it philosophy or fortitude, which estimates life at its real worth, and is neither inordinately elevated by prosperous, nor wholly struck down by adverse circumstances. It was reasonable to expect, that one or both of these resources was within the reach of Sir Samuel Romilly. His most intimate friends, those who knew him best, and loved him most, spoke of him as of a man exemplary in the discharge of all Christian duties; while a casual observer could not but remark and acknowledge, that the vigorous and robust qualities of his intellectual character bespoke a mind loftily rising above the common imperfections of his kind. Yet, in the hour of trial both failed him. Humanely speaking, and with reference only to external, to worldly circumstances, what man was there upon whose prosperity we should have more confidently pronounced, than upon that of Sir Samuel Romilly? Eminently distinguished as a lawyer, and extensively employed in that capacity, his fortune was necessarily ample; equally distinguished as a politician, revered by his party, and esteemed by all who were opposed to him upon political questions, his fame was not only unassailed, but seemed to enjoy the rare distinction of being unenvied, so meekly did he appear to receive its honours, and so irreproachable apparently were its objects; happy, in the circle of a numerous family, where, when relaxing from the severe toils of his professional or political labours, he had always within his reach man's highest felicity, the silent, but deep and heartfelt transports of the

father and the husband. This *was* his condition, and now—

“God of our fathers! what is man!” Because one bright spot in this general effulgence of public and private worth was extinguished, the rash hand of the impatient sufferer has blotted out the whole! How sad a close of such a life! How painfully instructive the awful lesson which it reads, upon the instability of this world's greatness, upon the insecurity of man's proudest hopes! We will not attempt, for language would fail us if we did, to portray the deep, the desolating affliction which has thus befallen upon his distracted family. The lapse of a few short days has made them orphans under circumstances so grievously deplorable, as will indeed require all the consolations which religion and the tender offices of surviving friends can bestow, to support them under such a visitation.

*From the Morning Chronicle.*

The melancholy event which we have this day to announce will fill every part of the kingdom with mourning—and not only of the kingdom, but every part of the enlightened world, where a just reverence for the cause of civil and religious liberty rendered its most distinguished advocate dear to the hearts of the liberal and humane. Sir Samuel Romilly, distracted by the death of his most amiable and beloved wife, has sunk under the severe visitation of Providence. We have already stated that Lady Romilly died at the house of Mr Nash, in the Isle of Wight, after an illness of near a twelvemonth, during which there were intervals of convalescence. Sir Samuel had suffered the most heart-rending agitation for some weeks, during which he was without the refreshment of natural sleep, when all the delusive

hopes he had entertained of her recovery were withdrawn, by the visible approaches of the fatal moment. The agony, of his sufferings occasioned the most alarming apprehensions to his friends, and his nephew, Dr Roget, the Rev. Mr Dumont, and Mrs Nash, as well as his own family, attended him with the most anxious solicitude. The event was not communicated to him till Friday morning, and it was thought proper to remove him from the scene the same day. He was brought to London by easy journeys, where he arrived on Saturday. His fever was most excruciating, but he manifested the most exemplary fortitude to conquer the despair which assailed him. "My head," he exclaimed, "is a furnace—I feel the violence of my disease—I may sink under it—my excellent nephew is exhausted—pray call to his aid Dr Marcet."—Both Dr Marcet and Dr Babbington did attend him, and in the course of Sunday and Sunday night a favourable perspiration gave the physicians hopes that his fever would abate. But alas! in a paroxysm, he desired his amiable daughter, who had been left in the room with him, to call Dr Roget, and on her departure, it appears, that he suddenly quitted his bed, and in the delirium of his grief put an end to his existence. In one minute Dr Roget entered and found him weltering in his blood. He was in his 60th year. He has left six sons and one daughter to lament his loss—but who shall repair it to afflicted humanity.

#### THE CORONER'S INQUEST.

Tuesday morning, at eleven o'clock, an inquest was held at the Colonnade public-house, Bernard-street, Russell-Square, before Thomas Stirling, Esq. coroner for the county of Middlesex, on the body of Sir Samuel Romilly. The utmost anxiety prevailed in the

neighbourhood, and gloom pervaded every countenance.

The names of the persons summoned on the jury having been called over, and the members sworn, the coroner proceeded to call the evidence.

C. Maybrey, surgeon, residing in Great Russell-street, deposed, that yesterday, the 2d instant, at two o'clock in the afternoon, he was sent for to attend the deceased, whose complaint, he was given to understand by the messenger, was an internal hemorrhage. On entering the bed-chamber, he found Dr Roget leaning over the deceased, who was on the floor; the servants were supporting him. The deceased held in one hand a sheet of paper and a pen in the other, and appeared making an attempt to write. The hemorrhage from the wound had ceased, and likewise pulsation; but a slight vibration was perceptible in the region of the heart. The witness examined the incision, which was on the throat, and found it very deep, from which, and the considerable flow of blood, witness was of opinion death ensued.

A French gentleman (the Rev. Dr Dumont) here begged leave to interrupt the deposition, and, addressing himself to the coroner, stated, that he had just received a note, which it was material should be instantly attended to. He handed it to the coroner, who read it to the jury. It was hastily written, in French, by Mr Brougham, dated St James's-Square, entreating Mr Dumont instantly to come to him, as he (Mr Brougham) was unable to leave his room; but it was of the utmost and most pressing importance that he should communicate with Mr Dumont before the inquest should be proceeded in. The latter gentleman stated himself to have been upon terms of the strictest intimacy with the deceased, and begged he might have time allowed him to attend to the sollicita-

tion of Mr Brougham. The coroner recommended Mr Dumont to use all possible expedition in visiting Mr Brougham, and observed, in his absence, that they could continue the examination of the intermediate witnesses.

The above witness (Surgeon Maydrey), in continuation, said, that there was a great quantity of blood on the floor, and a portion of it in a basin. The wound appeared to have been inflicted with a sharp instrument. There was a bloody razor lying by his side. This witness pulled from his pocket the sheet of paper, which he deposed as that held by the deceased. It was in different places smeared with blood. At the sight of it, a start of distressing horror pervaded the inquest chamber. The paper was blotted with ink; the words *sir, witness, or wishes*, might be traced, but so illegibly, that much doubt prevailed as to the correct indication of the characters so construed. The remaining marks of the pen were feebly traced, and might be compared to those an infant child would produce for its amusement.

The Rev. Stephen Dumont, of Geneva, then said, that he was one of the representatives of the Council there, but had been a long time in England, previous to the late restoration. He went home, and again returned to this country to spend some time with his friends, among whom Sir Samuel Romilly was the most intimate. He here proceeded to read a letter, which he received so far back as the 27th of September, from the house of Mr Nash, at Cowes, which at once shewed the anxiety of mind under which Sir Samuel Romilly was then labouring. This began with an invitation for him to join them at Cowes, but expressed the deepest apprehension for the safety of Lady Romilly, whose physicians thought her in much danger. There was considerable grief and anxiety also

manifest upon his mind for the safe of his children, and a declaration, that he was unable to communicate to her the feeling he endured in consequence. After this, witness received notes almost daily, which announced, that Lady Romilly was better, and apologizing for any uneasiness, the first note might have occasioned. He went in consequence to Cowes, and arrived there on the 4th of October, where he found her, as he thought, better; but Sir Samuel had no confidence in her recovery, but manifested the same uneasiness of mind and anxiety. Lady Romilly had at length a severe relapse, and she was for some days in a great state of suffering. During that time nothing could equal the excruciating pain of Sir Samuel, but his fortitude and resignation. He was almost entirely deprived of sleep for about six weeks; and from that circumstance I began to entertain the greatest apprehension for his fate. Twice or three times he himself expressed to me his fears of mental derangement. On one occasion he sent for me in the middle of the night. It was about two o'clock in the morning, and he spoke to me of a dream which he had had that was full of horror. He said that the impression was as strong upon his mind, even after he awoke, as if it had been a reality. He asked whether I did not consider that as a proof that his faculties were impaired. However, some conversation about his children generally, restored a certain degree of peace to his mind, and sometimes he entertained me about his plans for the education and establishment of his children. Lady Romilly died at Cowes, on Thursday the 29th of October, about eleven o'clock at night. Sir Samuel was informed of her death next morning by his nephew, Dr Roget, for whom he always shewed the same attachment as for one of his own sons. I have omitted to state, that two days

before the death of Lady Romilly, and when there was no hope of her recovery, two of her Ladyship's sisters arrived at Cowes, and Sir Samuel could not shed any tears when he saw them; but he complained to me of a most tormenting and burning heat in his head. He left Cowes with great reluctance the day after Lady Romilly's death, but he declared that he would be governed entirely by Dr Roget and his friends. On Friday night we slept at Winchester, on our way to town, being accompanied by Mrs Davis, who is one of the sisters of Lady Romilly, as well as by Miss Romilly, the eldest son, and some of Sir Samuel's servants. I travelled in the same chaise with Sir Samuel, and on our arrival at Winchester, he said that he felt himself extremely exhausted. Dr Roget slept in the same room with him at Winchester, and Sir Samuel was throughout the night extremely restless, as I understood from the Doctor. On the next morning Sir Samuel shewed marks of agitation, which he tried to subdue. He was continually tearing his gloves or the palms of his hands, or scratching his fingers and nose. Some blood came from his nose. When we arrived at an inn at Muller's Green, which is two stages from Winchester, Sir Samuel was so weak that he could proceed no farther; we therefore slept at that inn. Dr Roget still slept in the same room with Sir Samuel. I had proposed to Sir Samuel not to go to Russell-Square, but to take some other house for the present. He answered, that as he was likely to have a long illness, and to be laid up for some time, he preferred his own house. As he proceeded homewards, I observed a more violent degree of irritation, with still more tearing of his hands and of his nose. In a moment when he was shutting his eyes and wringing his hands, I took the hand of his daughter, and placed it in his; upon which,

opening his eyes, he perceived what I had done, and casting upon me the most expressive look of gratitude and tenderness, he embraced his daughter. When we arrived at Russell-Square, he made a great effort to compose himself, and went into his library, where he threw himself upon a sofa, in a state of calm, which appeared to me, who knew him so well, peculiarly frightful. In this situation he was for some moments joining his hands as if in a state of prayer. In a moment after he got up from the sofa, he took my arm, and walked with me about the two rooms. He appeared to me in the state of a man dying from an internal wound. A few hours after his arrival at Russell-Square, he expressed a desire to see Dr Marcet, saying that his nephew, Dr Roget, suffered too much, and that he would give him the comfort of some medical friend's assistance. He wanted, he told me, particularly to consult Dr Marcet about a shower bath, which he was inclined to think likely to relieve the heat of his head. Of this heat he perpetually complained, and what is most astonishing, he declared at the same time that he had no headache. But as to what refers immediately to the nature of his disease, I shall leave that to be described by the medical gentlemen who knew the subject so much better than me. After Dr Marcet had made his visit to Sir Samuel, which was about nine o'clock on Sunday evening, I followed the Doctor to his house, and I saw that he was much alarmed by the state of inflammation in which he found Sir Samuel. Dr Roget would not quit Sir Samuel, in whose room he slept that night. I slept in a room over that of Sir Samuel, or more correctly speaking, I passed in that room a most uneasy night. About seven o'clock next morning Dr Roget came to me in a state of extreme anxiety, telling me that his uncle was much worse, with a violent fe-

ver, uttering some expressions in a strain of great perturbation, and complaining that he was quite distracted. Dr Roget called immediately upon Dr Marcet, who came in an instant to Sir Samuel's house.\* They sent for Dr Babington to join them in a consultation upon Sir Samuel's case. Of their proceedings these gentlemen will, no doubt, give you a full and satisfactory account. I asked them whether I could see my friend, Sir Samuel, but they desired me not to visit him, observing that the greatest quiet was necessary about him, and that one person only should be allowed to attend in his room. I went then to Holland House, Kensington, to see Sir Samuel's three youngest children (whom Lord Holland had taken home from school,) in order to make some arrangements with respect to them. When I returned to Russell-Square, about half after three o'clock, I found the servant, Thomas, in tears—I found Dr Roget in a state approaching to despair. My first feeling was that of astonishment; for I had never had the smallest conception or apprehension of what had taken place. During the whole previous month I had passed with Sir Samuel, dividing almost entirely with his son the cares of his mind, while the ladies were employed about Lady Romilly—engaged with him in the most intimate and unreserved conversation, I never could have imagined it possible, that his invaluable life would have been terminated by such means, from the intimate knowledge which I had of his high principles of duty, of his moral and religious fortitude, of his love for his country, of his parental affection.

Coroner.—I dare say the gentlemen are fully impressed with the state of Sir Samuel Romilly's mind, from the very clear evidence you have given, sir. Indeed, it is impossible to conceive that a great mind like his could be directed by any thing but the im-

mense weight of affliction which appears to have oppressed him. The circumstance of a mind like his, resting for so great a length a time upon the same melancholy subject, was sufficient, and likely to occasion mental derangement; and, it is likely, produced an inflammation on the brain, which led to the deplorable catastrophe, but we shall hear this from the medical gentlemen.

Dr Dumont resumed, saying, that he should only add, that the qualities which he had described, and which notoriously characterised the life of Sir Samuel Romilly, totally excluded from his mind any idea of such a melancholy catastrophe as had occasioned the assemblage of that Court.

The cordial and generous sensibility, which this excellent man manifested throughout the delivery of his evidence, was in the highest degree affecting and impressive.

Dr Marcet was then examined. He stated, that he was called upon to attend Sir Samuel Romilly on Sunday last. He had long been in habits of acquaintance with Sir Samuel Romilly and his family, but he did not before attend them professionally. He was called in on Sunday night, about nine o'clock, at the request of Sir Samuel's nephew, Dr Roget. Upon going into Sir Samuel's house, he found him in the drawing-room, sitting with his family. He inquired respecting Sir Samuel's health, and Sir Samuel complained of an extreme degree of lassitude and restlessness, especially in the lower extremities, in which he felt frequent and severe muscular pains. No attitude appeared to afford him any rest or comfort. He sat on his chair, in a state of most painful agitation. Although he refrained, in conversation, from describing the anguish of his mind or giving vent to his feelings, it was obvious, from his manner as well as from every expression which drop-

ped from him, that he despaired of his recovery, in spite of all the attempts that were made to inspire him with hope and comfort. Various steps, which he did not think it necessary to describe, were recommended, with a view to allay his extreme irritation; but he objected to all of them in succession, ultimately insisting upon being allowed to go to bed, without making any attempt to produce relief, on the ground that he felt he must have a wretched life, and that if he were to use any medical prescription, it would only have the effect of taking away all his confidence in the powers of medicine. When witness saw Sir Samuel next morning in company with Drs Babington and Roget, he found his situation considerably altered. His skin, which the night before was quite dry, was then bedewed with moisture. He appeared much quieter as to his bodily agitation, but he was extremely concise in his answers, and said nothing which would have justified a more favourable opinion with regard to the state of his mind. On the contrary, all that was related to witness and Dr Babington, respecting the patient's state during the night, evinced an increased degree of internal agitation. From Sir Samuel's apparent tranquillity in the former part of the night, Dr Roget, who slept in his room, was led to suppose that he had enjoyed a few hours sleep; but Sir Samuel, upon the inquiry being made, declared that he had had no sleep whatever. This was the last interview which witness had had with the deceased.

Coroner.—From the mind of the deceased resting perpetually upon the death of his wife—from the heat of which he complained in his head, and the great agitation which you witnessed in him, do you not think such circumstances likely to upset his reason, and that the consequence must be a brain fever?

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Dr Marcet.—It is impossible to say what consequences might follow from such causes. I should have deemed the case extremely alarming if such symptoms had appeared in other men; but relying on the firmness of Sir Samuel Romilly's mind, the idea of such a fatal catastrophe as has occurred never once entered my contemplation.

Dr Babington deposed, that he attended yesterday between ten and eleven o'clock at the house of Sir Samuel Romilly, in consequence of an urgent note from his friend Dr Marcet. Previous to his going up stairs to the bedroom of Sir Samuel Romilly, he had an opportunity of learning from his friends, Drs Marcet and Roget, all that had occurred antecedently to his arrival. His visit to Sir Samuel was therefore short. He found Sir Samuel in a situation corresponding exactly with the account which his medical friends had given him. He had, therefore, but a few questions to put to Sir Samuel, and these that worthy man answered with the most perfect distinctness, although his manner appeared peculiarly thoughtful and reserved. "I," said the witness, "expressed my hopes to the patient, that, from the change which had taken place in his situation, more especially from the apparent quietude which he had experienced in the night, and the perspiration which had occurred, we should have the satisfaction of finding a farther improvement when we had the pleasure of seeing him again in the evening." Witness then left Sir Samuel, and the consultation took place in another room; but the particulars of that consultation, or the measures recommended for the patient, it was not usual to describe on these occasions.

Coroner.—Do you concur with the account given by Dr Marcet as to the state of Sir Samuel Romilly's mind?

Dr Babington.—From what I heard

and saw, I cannot hesitate to say, that I consider Sir Samuel Romilly to have been deranged at the time the melancholy event took place which you are engaged in investigating.

After a short address from the Coroner, the Jury found a verdict, that the deceased had cut his throat in a state of temporary mental derangement.

The inquest continued from eleven till half after four o'clock.

The vicinity of the deceased's residence in Russell Court was crowded during the day by numerous inquirers, who were doubtful of the truth of the mournful event.

#### COURT OF CHANCERY.

3d.—This morning the Lord Chancellor took his seat, at a few minutes past ten o'clock. The court was crowded to excess, but not a single Counsel or Solicitor was present, from motives of respect for the memory of Sir Samuel Romilly. The Lord Chancellor left the court after sitting one minute. The venerable Lord was evidently much affected, the tears rolling down his face as he looked to the place where he had so often heard him with admiration. The melancholy event struck every person present with anxiety, and was regarded by all as an irreparable calamity. The Vice-Chancellor also did not sit, on account of the same deplorable catastrophe.

**LOSS OF A KIRKCALDY PINNACE.**—One of the pinnaces plying between Kirkcaldy and Leith, went down, at the Sea-field rocks, and all on board, consisting of (it is supposed) eight passengers and three boatmen, were drowned. It is reported that the master of the pinnace was left ashore in a state of intoxication, and that the remaining three of the crew, who were on board, were in the same situation.

The fatal catastrophe was seen from the shore, and boats were sent from Kirkcaldy to their assistance, but they

did not reach the place in time. Two of the men were observed struggling for a long time, endeavouring to reach the rocks. Two of the crew were named Burton (brothers,) and belonged to Kirkcaldy. Of the passengers, we have heard of three only that are known, viz. Shaw, cooper of the Sisters Greenlandman of Kirkcaldy; a daughter of Robert Davidson, West Wemyss; and the miller of the Middle Mill, above Dysart. This man's wife and child were with him in Leith, but they fortunately sailed to Pettycur; he had also a dog with him belonging to a person in Leith, which made its way to the shore. The animal was brought back to Leith on Tuesday by a gentleman, who reports that eight hats and a lady's basket-reticule were found on the beach.

#### DEATH OF THE QUEEN.

*"Whitehall, November, 17th, 1818.*

"This day, at one o'clock, the Queen departed this life, to the inexpressible grief of all the Royal Family, after a tedious illness, which her Majesty bore with the most pious fortitude and resignation. The many great and exemplary virtues which so eminently distinguished her Majesty, throughout her long life, were the object of universal esteem and admiration amongst all classes of his Majesty's subjects, and render the death of this illustrious and most excellent Princess an unspeakable loss to the whole nation."

Her Majesty was born on the 19th of May 1744, and, till the last two years of her life, has enjoyed an almost uninterrupted state of good health.

The first change of a serious nature in the state of the Queen was on Monday afternoon, which was of such a nature as to cause Sir Henry Halford to write to the Prince Regent; and the language of the letter was such as to induce the Regent to send for the

Duke of York, to accompany him to Kew Palace. Their Royal Highnesses remained at Kew till near one o'clock, when her Majesty having recovered from her serious attack, their Royal Highnesses left their afflicted parent for the night. Her Majesty, however, passed a disturbed night, but only similar to what she had frequently done for some time past.

At half-past nine o'clock, the bulletin was forwarded to town in the customary manner; and the groom, who carried it, was the bearer also of a letter from the Physicians to the Prince Regent, describing the variations which had taken place in her Majesty's disease, after his Royal Highness's departure.

The messenger, however, had not left the Palace more than three quarters of an hour, when her Majesty became so much worse, that a second messenger was dispatched to Carlton House, to request the immediate attendance of his Royal Highness. Couriers were also sent off at the same time to the Archbishop of Canterbury, Dr Baillie, Mr Robert Keate, and Lady Halford. Centinels were placed at the extremity of Kew Green to prevent carriages, with inquirers, from approaching the Palace; other messengers were dispatched to the Duchess of York, at Oatlands, the Duke of Sussex, at Tunbridge Wells, and the Princesses, at Windsor Castle.

The Archbishop reached the palace shortly after twelve o'clock; and almost immediately afterwards the Prince Regent and the Duke of York arrived.

By this time, all hope of her Majesty's surviving the paroxysm was at an end; her respiration was most laboriously performed; the tension on the side was almost to suffocation, and symptoms of mortification had begun to manifest themselves in the lower ex-

tremities. Every possible mode of attempting relief was resorted to, but it became more and more evident, every minute, that a fatal termination of her Majesty's sufferings was at hand.

Immediately on the arrival of the Prince Regent and the Duke of York, Sir Henry Hallford had an audience of their Royal Highnesses in the great drawing-room; the Princess Augusta and the Duchess of Gloucester were also present; when Sir Henry announced that there was no longer any hope of their august parent surviving the paroxysm. Their Royal Highnesses received the melancholy information with the most poignant affliction. The Princess Augusta, in particular, was so much afflicted, that for some time she suffered under an hysterical affection. Their Royal Highnesses repaired to the chamber of their expiring parent, who, we are happy to say, was perfectly sensible of their presence.

About a quarter before one o'clock, the Archbishop of Canterbury was introduced into the Royal Chamber, when his Grace administered the Holy Sacrament to her Majesty.

At this time the Royal sufferer appeared free from pain, but she was nearly exhausted; and at 20 minutes past one o'clock, she breathed her last, so gently, that it was almost unperceived by those who were so anxiously watching her.

The scene was truly distressing, and the Prince Regent had the trying task of supporting his mother in her last breathings, a fit though melancholy close of his incessant attendance day and night, and of his anxious contrivance of every expedient that could administer relief and comfort to his parent, in her long and afflicting illness of six months. His Royal Highness was assisted by the Duke of York and their Royal sisters. The expiring scene—the heart-rending feeling of the



Regent, and all present, it is equally impossible and unbecoming to attempt to describe.

The Prince Regent and the Duke of York remained afterwards with their illustrious and afflicted sisters, till three o'clock, when they set out together, in the Prince's carriage, on their return to Carlton House.

About nine o'clock last night, Mr Mash of the Lord Chamberlain's Office, and Mr France, the royal undertaker, arrived at Kew palace, to make arrangements for the funeral of the Queen.

St Paul's bell, and those of all the other churches of the metropolis, tolled at intervals throughout the whole of the evening; the several theatres were shut, and published notices that they would remain shut till further notice; and most of the shops in Bond Street, Piccadilly, &c. were half closed on the melancholy occasion.

The Duke of Norfolk, as hereditary Earl Marshal of England, is expected in town this day, to issue the customary recommendation for a general mourning, to commence on Sunday next.

The first communication which arrived in town of the melancholy tidings, was about half past two, at Carlton House, by communication, sealed with black, to Viscount Sidmouth, as Secretary of State for the Home Department; together with a letter to Sir Henry Torrens, from the Duke of York, to postpone his Royal Highness's levee. The intelligence was soon circulated, and inquiries were made very numerous at Carlton House; and at three o'clock the following notification was issued:

*“ Carlton House, Nov. 17.*

*“ Her Majesty expired at one o'clock this day, without pain.”*

*It was written on paper with wide black edges.*

*Shortly after, the following letter, sent by Lord Sidmouth to the Lord*

*Mayor, was placarded at the Mansion House:—*

*“ Whitehall, Nov. 17.*

*“ My Lord,—It is my painful duty to inform you of the death of her Majesty the Queen. This melancholy event took place at Kew Palace, at one o'clock this day.*

*“ I have the honour to be*

*“ Your Lordship's most obedient,*

*“ SIDMOUTH.*

*“ To the Right Hon. the Lord Mayor.”*

Lieutenant-General Geo. Murray, chief of the staff of the English army of occupation, has published at the head-quarters, at Cambray, the following

#### ORDER OF THE DAY.

*“ Field-Marshal the Duke of Wellington cannot take leave of the troops whom he had the honour to command, without expressing to them his gratitude for the good conduct which has distinguished them during the time that they have been under his orders.*

*“ It is now nearly three years since the allied sovereigns confided to the Field Marshal the chief command of that part of their forces which circumstances rendered it necessary to keep in France. If the measures which their Majesties commanded have been executed in a manner to give them satisfaction, this result must be wholly attributed to the prudent and enlightened conduct manifested on all occasions by their excellencies the generals commanding in chief; to the good example which they have given to the other generals and officers who were subordinate to them, as well as to the effects of these latter to second them; and lastly, to the excellent discipline which has always prevailed in the contingents.*

*“ It is with regret that the general has seen the moment arrive when the dissolution of this army was to put an end to his public connexion, and his private relations, with the commanders and*

other officers of the corps of the army. The field-marshal deeply feels how agreeable these relations have been to him. He begs the generals commanding in chief to receive and to make known to the troops under their orders, the assurance that he shall never cease to take the most lively interest in every thing that may concern them, and that the remembrance of the three years, during which he has had the honour to be at their head, will be always dear to him.

(Signed) "G. MURRAY,  
"Lieut.-General, and Chief of the  
"Staff of the Allied Army."

#### STEALING OF MR HORSLEY'S CHILD.

BOW STREET.—On Wednesday the 11th, Mr Horsley, of Canonbury Lane, Islington, who on Sunday lost his son, who, together with his infant sister, had been taken out by a female servant in a child's chaise, attended before Mr Hicks and Mr Birnie, the sitting magistrates, accompanied by a friend, and stated that they had found a witness who had seen a man take the infant, which is only a year and a half old, out of the chaise, when it was left near the Asylum, and walk away with it. It appeared to the man a singular circumstance, and he was induced to follow the thief, who in the Borough went into a liquor shop, where he had a glass of gin; the witness went into the liquor shop, and had a full view of the man and the child; and, from his description, there is no doubt of the infant being Mr Horsley's. The thief left the liquor shop, and proceeded towards London bridge, where the witness lost sight of him. Mr Horsley was so much affected, he was not able to state his case; and Mrs Horsley being in a pregnant state, he was fearful of the consequences. The circumstances, however, were clearly related by his friend, who stated, that they considered the se-

duction of the servant girl away, as an under-plot to getting the child. There was no doubt, however, but that she had been induced to take the children in that direction, for she was restricted from taking them out of Canonbury Lane, or very near it; whereas she had been seen going away, on Sunday, crossing the Shepherd and Shepherdess' Field, and pulling the chaise with both her hands, apparently as fast as she could. She had not taken any precaution for herself to stay out, as she had no other clothes but those she had on. It was strongly suspected that she went to a house of ill fame in Mead's Row, near the Asylum, kept by a woman of the name of Patch. Her parents, or any of her relations or friends, had not heard any thing of her. They suspected that she had been murdered, or destroyed herself, but they did not state their reasons for thinking so. They stated, that they had been at the Police Office in Union Street to give similar information, and they intended to go to the Secretary of State's Office for the Home Department to apply to the Secretary and Under Secretary of State.

16th.—The stealing of Mr Horsley's boy, who is not yet found, has become of so much public interest, that he has not only received every possible assistance from the Police Office, but from the Post Office, and other establishments. The examination was resumed by Mr Birnie on Thursday. He sent for Elizabeth Holbrook, the servant, who has been found, and examined her privately, and very minutely, as to the whole of the transactions she had with the man, who said his name was George Faulkner, and who made her the dupe, for the purpose of getting possession of Mr Horsley's boy. After a long examination of the girl, it appeared that no improper or criminal connexion had taken place between them, as erroneously stated. The first thing Mr Birnie

employed her about was to send her to endeavour to find out the house in Severn's Row, Islington, where Mr Faulkner fetched an umbrella. She was accompanied by Godfrey and Goodwin, the constables; they proceeded to Severn's Row, Islington, and after making inquiries at a dozen houses, they entered one. She observed an umbrella hanging up, which she recognized as the same the man who had duped her fetched about two or three weeks since, when he was going to walk out with her and Mr Horsley's children; it was a red silk one, of French manufacture, and she positively asserted it to be the same. They in consequence proceeded to make very strict inquiries respecting every person in the house, and all the transactions which had taken place in it for some time past. They learnt that the umbrella belonged to a female lodger, whose husband had left the house to go into the country last Sunday; and on his person being described, Elizabeth Holbrook had no doubt but that he was the man who had passed himself off as a single man, of the name of George Faulkner, and who had duped her by promising her marriage, and sending her to Birmingham. The constables proceeded to interrogate the woman, and from her answers they suspected her to be an accessory with her husband. They in consequence took her into custody, and brought her to the office, and also the umbrella, which has proved such an essential feature. She underwent a long investigation, and it appears that her husband's name is not Faulkner, but Rennett; that he is of no direct or regular profession, but that he frequently went to France and other foreign parts; he was frequently away from her for months at a time. He had lately returned from Aix la Chapelle, and had been in England about two months, and at that time he had taken the lodging in

Severn's Buildings. She acknowledged that they lived very uncomfortably together, but that on Sunday, when he went off, they parted friends, and he took leave of her between one and two o'clock, taking with him two portmantrous and a sum of money, when he said he was going to France, and she would not see him again for two months. She denied knowing that he was going to carry off Mr Horsley's child, or that he had any scheme for that purpose. Mr Horsley was sent for on her being brought to the office. On his arrival he appeared much shocked at seeing his relation, at least his wife's relation (we understand, her cousin,) suspected of any knowledge of such a horrid transaction, but confessed that it did not altogether surprise him that her husband, Charles Rennett, had committed the horrid deed; in fact, he confessed that he suspected he was the man who had carried off the child from a merciful malignity, and from the dreadful threats he had made use of towards him and his family; and assigned as his reason for thinking so, that some time since he had a law-suit with Charles Rennett, respecting the heirship of an estate, and cast him; his son, whom he had now by a deep-laid stratagem carried off, was heir to the estate. About four years since, at the time Mrs Horsley was pregnant with the said boy, she received a letter, stating that Mr Horsley had met with a most dreadful accident near London Bridge; that in consequence he could not survive, and if she wished to see him alive, she must hasten to the spot instantly, which she accordingly did. The contents of the letter were wholly fabricated, and the said Charles Rennett was suspected to be the author of that letter, to answer the diabolical purpose of causing a miscarriage, which, however, was providentially frustrated. Under all these circumstances, Charles

Rennett was charged with the crime of stealing the child, and Mr Birnie issued warrants against him, and dispatched the most active, intelligent, and persevering officers, to Dover, Margate, Brighton, and other parts, with instructions to pursue him wherever they can get any information respecting him. They are accompanied by Mr Horsley and some friends, who can identify Charles Rennett and the child.

23d.—The infant is not yet under the protection of its extremely miserable relatives. Such has been the effect of the child's absence upon the minds of Mr and Mrs Horsley, and Mr Dignum, that they have not been in bed more than an hour together, any night since it was stolen. Mr Dignum was so particularly attached to the interesting creature, that he had resolved to leave him heir to all his property, which is reported to be about 30,000/.

Taunton, the Bow-Street officer, was in France, when Rennett, who is supposed to have stolen the child, crossed the Channel; but Taunton did not hear of the circumstance until he arrived in England, when it was communicated to him by the magistrates of Bow-Street Police-Office. He immediately returned to Calais, having previously learned that a man of the description of the person whose name was stated to be Faulkner, but whose real name was Charles Rennett, had set off from the London Inn, at Dover, with a child, answering the description of the stolen child, to Calais, in a boat; and that he had obtained passports in the name of George Reynolds. When Taunton arrived at Calais, he found that the delinquent had left it on the 10th instant. He had been at a tavern, kept by a person of the name of Meurice, and had taken refreshments, and also given some to the child, who was in good

health. Rennett, it appears, applied immediately to the police, on his arrival in Calais, to get his passport indorsed, which being done, he set off with the child in the diligence towards Brussels. Prior to Taunton's second arrival in France, the nephew of Mr Horsley, and Gooding, the officer, had arrived, and had pursued the fugitives, so that the affair was generally known, and told to him on his landing. He learned that the pursuers had discovered the route taken by Rennett, and were at least three stages on their way after him, and it was therefore useless in him to continue the pursuit; for the persons who were before him having received every assistance from the French police, would be equally able to obtain their object as if he were to follow. He therefore returned to England with the so far satisfactory intelligence to the afflicted relatives of the child. Such is the system of the French police department, that the pursuers were informed that they might rest assured that the child and thief would be ultimately in custody.

The conclusion of the affair is related in the following letters of Mr Horsley:—

*“ Bremen, November 25.*

*“MY DEAR WIFE,—I have at length the happiness to acquaint you that our dear boy is rescued from the hands of that villain Rennett, who is in safe custody, and will be brought to England for trial. He was seized on board the Pallas, a vessel in which he had taken his passage to America, and in twenty-four hours he would have been at sea. The child is in good health and spirits, and I intend proceeding to England with him as early as possible.*

*“ Your affectionate husband,*

*“ J. HORSLEY.*

*“ P. S. Request your father to write a note to Mr Agar, and say his son, who has taken so active and praiseworthy a part in the restitution of the*

child, is well. He has not time to write, for we are going twenty-five miles, to fetch the child to Bremen, from the port where he was discovered."

"*Braka, near Bremen, Nov. 25.*

"MY DEAR WIFE,—I wrote a hasty scrawl by this conveyance, supposing that I should not have time to send a longer letter by this day's post; but I find I have still sufficient time to send some particulars, which are very interesting and important to our family.

"I told you, I had succeeded in overtaking the unfeeling rascal, and in rescuing our dear child from the felon's grasp.

"Rennett is now in safe custody, and the dear boy is in the possession of Mrs Macnamara, the wife of the Consul, from whence this letter is addressed. I have had our boy in my arms; I have kissed him. My feelings were too acute to attempt to describe them. He clung round my neck, and hugged me so hard that it was a long time before he could be induced to part from me. He is fat, ruddy, and in perfect health.

"I have been much disappointed in not being able to get away from this place so early as I wished and expected; my detention arises from the delay of the officers of the government to which this place is subject—the Duchy of Oldenburgh. The boy has not yet been delivered up to me, but is still in Mrs Macnamara's care, and is to remain with her till the arrival of the commissary of police, from Oldenburgh, who is hourly expected. I am apprehensive that the villain Rennett will not be given up until an order arrives from the Secretaries of State, Lords Bathurst or Sidmouth, which is requisite to be done, according to the established law of the country; and I am not even sure that the boy will be delivered up to me without an order from the Secretary of State. He is

safe and happy in the care of the Consul's lady. I have, therefore, written the enclosed to government, to request the necessary order, which I hope you will get delivered by some of your friends to the Minister, and urge them to obtain the order with all possible dispatch, that no farther time may be lost, as my stay here is painful and unprofitable.

"I saw our dear Joe last night; we met at the investigation of the robbery, and an examination of Rennett before a magistrate, and I was desirous of ascertaining if he would recognize me as his father. When he was brought into the room, he looked round indifferently upon the persons who were assembled; Mr Agar then stepped forward, and our dear boy, who knew him well before he was dragged from England, started; his countenance assumed an appearance of surprise and pleasure. I then stepped forward, and the moment the interesting boy saw me, he stretched out his dear little arms, burst into a kind of hysterical laugh, and said, 'O my pa, O my papa!' I was of course much affected; and he hugged and kissed me until I was obliged to leave him for the night. He was exceedingly loth to part from me; but he began to be sleepy, and soon became pacified. I have seen him again to-day; he is happy and cheerful. He had not the same clothes on in which he left London: the villain purchased a suit of blue clothes, in which he had dressed the boy, and I hardly knew him except from his face.

"I have just seen Charles Rennett; he fell prostrate at my feet, and kissed them with the most abject meanness. I never witnessed such humiliation in my life. The contemptible villain implored my pardon, and beseeched me not to deliver him up to justice; but upon that point I had previously made up my mind. I have enclosed

an affidavit which will enable you to obtain the Secretary of State's order : and I hope to God you will now make yourself as happy as possible. Do not let your spirits flag during our absence ; think of our return to our dear home, and upon that kind Providence, whose hands has been so manifestly stretched out in our behalf, and with respect to our dear boy. I am, &c.

"JOSEPH HOBBSLEY."

## DECEMBER.

### FUNERAL OF HER LATE MAJESTY.

4. Wednesday was observed throughout the metropolis and its vicinity with every mark of respect for the memory of the Queen. In pursuance of notice, the Bank, the Exchange, and all other public places of business, were shut. The shops were all wholly or half closed, and nothing done in the way of trade, but what the necessities of the day required. Mourning was nearly universal, and scarcely a private or hackney carriage was to be seen that was not proceeding westward to the funeral. The stage coaches were the only vehicles to be seen at that time proceeding in any other direction. The churches were mostly open for divine service, the pulpits covered with black, and sermons appropriate to the melancholy occasion were delivered. The congregations were numerous, and in some places crowded. The commission was open at the Old Bailey at nine o'clock, after which the Court instantly adjourned till Thursday.

The numbers that set off at an early hour to witness the procession from the city, Southwark, Westminster, and all the adjoining districts, were

immense. Coaches, stages, and carriages of every description, were filled, and it is computed that upwards of 5000 were employed on the occasion. The pedestrians were numberless, and many of them had set out on their journey to Kew long before day-break. The morning was dark, cold, wet, and altogether uncomfortable. It rained very heavy at five o'clock, and fears were entertained that the day would be most unfavourable. Towards seven o'clock, however, the sky cleared up.

The honorary guard, selected from the brigade of Guards, which had been stationed at Kew Palace, while the remains of her Majesty were lying in state, turned out about half past seven. As it is customary on all great state occasions, they wore white gaiters. Their officers appeared with crape scarfs and sashes—crape was also placed round their caps, and round the hilt of their swords. They remained on duty, in the front of the Palace, until the royal remains were removed. At eight o'clock, a detachment from the 16th lancers made their appearance, slowly moving along the Windsor road, and advancing towards Kew. They were stationed in two bodies on Kew Green. The road immediately in the vicinage of the Palace was patrolled, during the morning, by small parties of the same regiment. At half past eight, the hearse, destined to convey the royal corpse to Windsor, arrived at the Palace. It was accompanied by fifty undertakers' assistants, on horseback, in deep mourning, with silk scarfs, hatbands, &c. and escorted by a body of lancers. At this time the road leading to the Palace was crowded. The road which runs through the centre of Kew Green was lined on each side with carriages, while an immense assemblage of people almost filled the space behind. The pathways leading to Kew Bridge, and on to the Star and Garter, at the foot of

the bridge, were, in like manner, crowded. The open space in front of the Star-and-Garter was occupied by several rows of carriages, which were loaded, both inside and outside, with spectators. The multitude extended as far as the eye could reach, in every direction; and not a window, a wall, or a tree, from which a glimpse of the procession was likely to be obtained, was untenanted. At a quarter after nine, an additional number of Lancers scoured the roads, and prevented the approach of carriages, except those belonging to persons who were to take a part in the solemn ceremony. Soon after, the larger body of Lancers, who had been stationed on Kew Green, moved towards the Palace. A part of them formed on each side of the road, obliging the spectators to fall back pretty close to the Thames. The remainder of this body were subdivided into two parties, one to precede, and one to follow the hearse. Almost precisely at ten o'clock, the procession moved from the Palace in the following order:—

Twenty-five Lancers.

Eight Marshals on horseback, in their state uniforms, with silk scarfs, hatbands and sashes, bearing ebony staves tipped with silver.

The Beadle of Kew parish, on foot, with silk scarf and hat-band.

Eight Assistants on horseback, in deep mourning.

<p>Assistants on horseback, in deep mourning. A party of Lancers.</p>	<p>THE HEARSE.</p> <p>covered with black velvet, profusely decorated with plumes of ostrich feathers, and ornamented by seven escutcheons (three on each side, and one at the back), drawn by eight beautiful black horses, bearing ostrich plumes, an escutcheon being affixed to the black velvet covering of each horse.</p>	<p>in deep mourning. A party of Lancers.</p>
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Assistants on horseback, in deep mourning.

Seven private carriages of her Majesty, each drawn by six chestnut horses; the coachmen and footmen in deep mourning; the

usual hammer-cloth of scarlet and gold was retained. The first six carriages had the royal arms emblazoned on them, and the letters C. R. in a small cypher, inserted in a compartment above them. The last had only the crown, surmounting the letters C. R. in a very large cypher.

Assistants on horseback in deep mourning. A detachment, consisting of eighty-nine Lancers, in triple files, closed the procession.

The throng of carriages that followed, as far as Hounslow, was so great, that at the turnpikes an interruption of many minutes took place, from the impossibility of getting fresh horses at Hounslow, the price demanded being four guineas to Windsor. The road then presented a conflicting appearance, between those who were anxious to proceed, and others who were compelled to return. The procession having taken the Bath road, a great proportion of carriages, to avoid the frequent interruption, took the route of Staines, by Frogmore, to Windsor. The cavalcade reached Longford between one and two o'clock, and rested one hour. Several carriages, with persons connected with the arrangements at St George's Chapel, were for a length of time precluded from getting on, as no vehicle was permitted to pass; but the delay being so great, on application to Colonel Wyndham, such persons were specially permitted to pass the after-guard.

Every preparation was made at Windsor to guard against any possible confusion. Placards were posted in every frequented part of the town, stating that the magistrates had sworn in a number of special constables to prevent any interruption being given to the line in which the military were to be drawn up. Carriages of every description were restricted from all the streets through which the procession was to move in its progress to St George's Chapel, and orders given for such empty carriages as were un-

able to procure admission in the inn-yards, being drawn up in single files, in certain streets, designated in the municipal notice. From the earliest hour patrols of the Lancers paraded all the entrances to the town. The gates of the Castle were closed, and admission only given to those who had business with the departments of the Earl Marshal, the Lord Chamberlain, and the Groom of the Stole. Their Royal Highnesses the Dukes of York and Sussex passed some hours with their royal sister, the Princess Sophia, at the Castle. About half past three the latter drove off to Datchett, and the former, before five, to Frogmore. Throughout the whole apartments of the Castle the most complete seclusion prevailed. The officers of the various establishments were provided for at the Castle Inn, with the exception of a select party, viz. the Earl of Winchelsea, Earl Yarmouth, Lord Henry Howard, &c. who dined at the Queen's Lodge.

About half past six the gates of the grand entrance to St George's Chapel were opened to those who had tickets of admission. The avenues were lined on each side by a strong detachment of the Grenadier Guards, under the command of the honourable Col. Lord Frederick Bentinck. Every sixth man had a lighted flambeau. The most perfect regularity prevailed through the whole line. Such a grand military spectacle, chastened by the appearance of the many lovely women who crowded the windows of the houses in the streets through which the procession moved, gave a most imposing and finished effect to the whole of this grand and awful preparatory ceremonial.

The procession itself reached Datchett about seven o'clock. The detachments of the Lancers from Staines and Egham then joined the cavalcade, and every preparation indicated

that the illustrious chief mourner, his Royal Highness the Prince Regent, with his royal brother, were about to meet the funeral.

Upon entering the choir, the royal body was placed on a platform, and the crown and cushion laid on the coffin.

The chief mourner sat on a chair at the head of the corpse. The supporters on either side.

The Princes of the blood royal sat near the chief-mourner.

The Lord Chamberlain of her late Majesty took his place at the feet of the corpse, and the supporters of the pall their places near the royal body.

During the service, the Knights of the Garter present occupied their respective stalls: The Judges, Ministers of State, Nobility, and Great Officers of the Household, were placed in the vacant and intermediate stalls. The ladies attendants in the seat below the stalls, on the north side, nearest the altar: The officers of the Duchy of Cornwall, the Grooms of the Bed-chamber, Law-officers, &c. in the seat below the stalls, on the south side, nearest the altar: The Physicians, Equerries, &c. in the front seats, on either side: The Gentlemen Ushers, Pages, &c. were arranged on either side below the altar.

The part of the service before the interment, and the anthem, being performed, the royal body was deposited in the vault; and the service concluded, Sir Isaac Heard, Garter, pronounced near the grave, the styles of her late Majesty.

N. B.—The Knights of the several orders, who walked in the procession, wore their respective collars.

The procession from the entrance to the choir, within the chapel, was flanked by the grenadiers of the foot Guards, every fourth man bearing a flambeau.



The Royal Body was borne into the chapel at a quarter after eight o'clock, and was followed by his Royal Highness the Prince Regent, as Chief Mourner.

His Royal Highness being supported by the Marquis of Buckingham on his right, and the Marquis of Winchester on his left, and his train being borne by the Marquises of Bath and Salisbury and Headfort, Cornwallis.

His Royal Highness wore a long mourning cloak, with the insignia of the several orders of the Thistle, the Garter, and the Bath, the Hanoverian Guelphic Order, and that of the Golden Fleece.

The Dukes of York and Sussex followed, each having his train borne, and each wearing a mourning cloak, with the insignia of several orders of Knighthood.

When the procession was fully formed within the chapel, and moved forward, a more impressive spectacle never presented itself to our view, or occurred to our imagination. There was a sad, solemn grandeur in the scene, which the dignified deportment of the Prince Regent, under the influence of those feelings which his Royal Highness has uniformly evinced throughout the illness of his beloved parent, was peculiarly fitted to illustrate. His Royal Highness, indeed, attracted particular attention, from the filial tenderness which he has so very laudably manifested, and the settled melancholy which his countenance expressed.

As the procession advanced along the Royal Chapel, the choristers chanted the solemn service, "I know that my Redeemer liveth," and, excepting their voices, which re-echoed along the fretted roof, the most solemn and imposing silence prevailed. When the coffin was placed on the platform over the royal vault, the Prince Regent

took his seat at the head of it, all the other illustrious personages standing, with the exception of the Dukes of York and Sussex, who took their seats in their stalls, as Knights of the Garter. His Royal Highness wore collars of the Garter, Bath, and the Royal Hanoverian Order of the Guelphs, over a large black mourning cloak, on which was embroidered the Star of the Garter. Throughout the whole of the solemn ritual, his Royal Highness was so much moved, that his grief was audible. The coffin sunk so gradually by machinery, that its motion was almost imperceptible. During its descent, his Royal Highness kept his eyes fixed upon it, and, when it had entirely descended from his view, he rose, and, Sir Benjamin Bloomfield bearing his train, he passed along the side of the open vault, towards the altar, and left the chapel by the western porch leading to the interior of the Castle. Immediately after, the whole assembly began to withdraw, but without any state ceremony or accompaniment.

The military remained under arms during the whole ceremony, and continued to parade the different approaches to the Castle, till day-light on Thursday morning.

The funeral service was read by the Hon. and Rev. H. L. Hobart, Dean of Windsor. Kent's "Lord, hear my prayer," was finely sung by four boys, two from the Chapel Royal, and two belonging to St George's Chapel. The remaining prayers were then read by the Dean. At half past nine, the remains of her Majesty were lowered by concealed machinery, with the car on which they had been borne into the choir. "I know that my Redeemer liveth," was sung by the vocal gentlemen in attendance.

The whole of the melancholy rites were concluded before ten o'clock. Sir Isaac Heard, as Garter King at Arms,

now at the close of his 88th year, came forward at the conclusion, and in a voice tremulous from emotion rather than from age, proclaimed the style and titles of the deceased. The Prince Regent, the great officers of state, and the nobility present, then retired. While they were preparing to leave the chapel, the solemn swell of the organ, which then struck up "The Dead March of Saul," drew additional interest into the close of the memorable scene.

Throughout the sad ceremony all eyes were fixed on his Royal Highness the Prince Regent, who, as chief mourner, took his seat at the head of the coffin. He seemed absorbed in grief, and was repeatedly observed during the ceremony to shed tears, though he struggled to maintain his wonted serenity and fortitude, under evident symptoms of the strongest and most agonized emotion, and he withdrew from the sad scene, accompanied by the Dukes of York and Sussex, the Duke of Montrose, Beaufort, and Newcastle, at twenty-five minutes before ten o'clock.

The principal Cabinet Ministers who were present were—Lords Liverpool, Melville, and Harrowby; the Chancellor of the Exchequer, Mr Bragge Bathurst, and Mr Canning. Before eleven o'clock the distinguished parties who formed the procession had quitted the Castle, and as soon as the carriages were put in motion, the military who lined the streets were withdrawn, and the glare of flambeaux and their gorgeous reflections totally disappeared.

5th.—The following address of the city of Edinburgh having been transmitted to Viscount Sidmouth, one of his Majesty's principal Secretaries of State, it was presented by his Lordship to his Royal Highness the Prince Regent, who was pleased to receive the same very graciously:—

"TO HIS ROYAL HIGHNESS THE PRINCE REGENT.

"*May it please your Royal Highness,—*We, the Lord Provost, Magistrates, and Town Council of the City of Edinburgh, most dutiful and loyal subjects of his Majesty, beg leave to approach your Royal Highness with the most profound respect, and to express our unfeigned and deep feelings of sympathy and condolence on the lamented death of your august parent, her Majesty the Queen, the illustrious consort of our venerable Sovereign.

"We reflect, with a mournful gratification, on the memory of the many eminent virtues which adorned and exalted the character of her Majesty; and while we bow with humble acquiescence in the appointments of Providence, we sincerely condole with your Royal Highness on this afflictive event, which has removed from the nation, whose interests are so dear to your Royal Highness, that salutary example and influence by which her Majesty had so long contributed most effectually to promote the public welfare, by guarding and improving the public morals.

"It is, at the same time, with the most lively concern, that we sympathize, in common with our fellow-subjects, in that more tender sorrow which domestic affection awakens in the bosom of your Royal Highness. But we humbly rely on your Royal Highness deriving, under the pressure of this severe calamity, all the consolations which religion is ready to afford, and which cannot but spring also from the consciousness of those zealous and endearing attentions which soothed the last scenes of your royal parent's sufferings, and which have attracted so deservedly, from every quarter of the kingdom, the most unqualified respect and admiration.

"Signed in our name, and by our

appointment, and the seal of the City affixed hereto, at Edinburgh, this 25th day of November, 1818 years,

“KINCAID MACKENZIE,  
Lord Provost.”

(Transmitted by the Lord Provost, and presented by Viscount Sidmouth.)

On Friday night, the 6th of November last, a most desperate gang of poachers, (about twenty in number,) known by the name of the Bedfordshire poachers, or Robin Hood's gang, headed by a farmer named Field, of New Inn, near Silsoe, who called himself Robin Hood, attacked the woods and estate of Joseph Latour, Esq. of Hixton, near Hitchin. The keeper, Dalby, and his assistant, Godfrey, on finding Field and his companions advancing near them, concealed themselves in a hedge; the gang, however, crossing the hedge near the spot, discovered them, when, without any attack or provocation whatever on the part of the keepers, they formed a line around them, when four or five of the party most cruelly beat them, leaving them for dead. Field held his dog by the ear, while it licked the blood from the head of Godfrey. Much credit is due to Mr Latour, for his spirited exertions in sending immediately to Bow-Street for assistance, when an active officer of the name of Holyland was sent down, who soon ascertained that the gang consisted of at least forty men, with Field at their head, and that they were encouraged by a number of gentlemen and farmers. Two of the men, Senly and Brown, were speedily apprehended, and sworn to by the keepers, but neither of them would impeach his accomplices. About a week after, the officer had information of one of the party, named Usher, whom he succeeded in taking after four days' and nights' severe labour, in a ditch, where he had a violent struggle for nearly half an hour, when

a young man came to his assistance, and they handcuffed him. Usher is a very stout bony man, six feet one inch high; he defended himself with a spade, till the officer wrested it from him, who was much hurt by the blow he received. In less than an hour, Usher gave a clue to the whole gang, when Holyland proceeded to apprehend Field as the ringleader, in doing which he was exposed to great danger, as he found him at a public-house surrounded by twenty of his colleagues, who had pledged themselves to die to a man rather than suffer Field to be taken. He entered the room, assisted by two of Lady de Gray's keepers, who, to their credit, stood by him until Field was taken. The officer was much assaulted, and had his warrant torn from him, when he drew his cutlass, and by a spirited and well-timed plan he carried Field off. Three of the ringleaders in the assault have been sent to Bedford gaol to take their trials at the ensuing sessions. Field, Usher, Senly, Brown, and Roberts, are committed for trial to Hertford gaol; and the officer is now in pursuit of the others. This gang has been for some time a terror to the whole neighbourhood, and Field has frequently given notice to the gentleman whose park he was going to attack. Some idea may be formed of the depredations committed by Field's gang, when it is pretty correctly ascertained that Field has paid from 60*l.* to 70*l.* a-week to his men, and employed a cart to convey away the plunder.

— The will of her late Majesty was proved in Doctors Commons by Lord Arden and General Taylor, her executors. The personal property is sworn to, as being under 140,000*l.* It is stated to consist of a real estate in New Windsor, called the Lower Lodge; but chiefly of jewels, being those presented to her by the King on her marriage, having been purchased for

50,000*l.*—those presented to her by the Nabob of Arcot—and those purchased by herself or presented on birth days, and on other occasions. In case of the King's recovery, she bequeaths to him the jewels presented by himself; the rest, with her books, plate, and all ornamental articles, she directs to be divided among her four youngest daughters, the Duchess of Wirtemberg being alluded to as already provided for. The house, ground, fixtures, and common furniture at Frogmore, she leaves to the Princess Augusta Sophia, and the estate in New Windsor, to her youngest daughter Sophia. The will is dated Nov. 16, 1818, (the day before her Majesty's death). It is in the handwriting of General Taylor; and two of the attesting witnesses are Sir Francis Millman and Sir Henry Halford.

16th.—An inquisition was taken yesterday afternoon, before Thomas Stirling, Esq., coroner, at the Hornsey Wood-house, on the body of John Thomas Taylor, a medical gentleman, who was stopped on Thursday night last, on the iron bridge of the New River, by some villains, and basely robbed, murdered, and thrown into the river.

The Jury being empannelled and sworn, took a view of the body of the deceased; there appeared violent marks of strangulation about his neck; a knife was in his waistcoat pocket, and a gold ring upon his finger, which the diabolical villains who murdered him, in their hurry, did not take from him. The following evidence was afterwards taken:—

Mr Thomas Thorpe, of Red Lion-street, Clerkenwell, deposed as follows:—I was a particular friend of the deceased's; he was at my house on Tuesday last; he was then in good health and spirits. On the following Thursday I was at his house, and he was then from home; his brother call-

ed on the following morning (Friday) upon me, and inquired if I had seen or had any knowledge of where his brother (the deceased) might be found, as he had not been at home since the preceding morning. I informed him that I had not seen him since he called upon me on Tuesday. The deceased's brother went from my house to Mr Norcutt, of Gray's-inn, and made inquiry, and there learned nothing at all satisfactory as to his brother's absence; he afterwards went from my house to Mr Norcutt to Guy's and St Thomas's Hospital, to make inquiries there after the deceased, and was informed that he had not been there since he was at the lectures on Wednesday. The witness then related his calling on Mrs Pearce, and on the landlady of the Jolly Butchers, who gave him such information as induced him to pursue his inquiries towards Hornsey. He then proceeded: The first information we gained was, that cries of murder had been heard near West-green on Thursday night, and we were told if we could go to the Black Boy we might obtain more particulars upon the subject. We proceeded there, and found that there had been an alarm in consequence of the cries of murder about ten o'clock on Thursday evening; and that three men had entered into a house, with intention to rob it, but the family not being in bed, gave an alarm, and the robbers decamped. We then returned towards the tile-kilns, in the Green-lanes, crossed a field, and made for the wood; we traced some footsteps at the foot of the bridge, for an hundred yards, which the brother of the deceased said were much like his brother's, whom we were in search of; at the centre of the bridge we lost the trace of the footsteps, and we suspected that he had been murdered there, and thrown into the river. Mr Taylor's suspicions were considerably excited by the marks of the boots being straight, and not

right and left, as are more usually worn, because his unfortunate brother had on when he left his home boots of that description. We then inquired at the Hornsey Wood-house, and at the Sluice-house, if they had any drags, or if they had dragged the river recently. They informed us they had no drags, nor had the river been dragged for a considerable time. We made several inquiries, and were informed that a hat had been found at the Sluice. I and my friends requested it might be shewn to us; and the man asked us what was the name of the maker? We replied, "Wilson and Waugh." He answered, "that is the name in the hat," and he immediately produced it, and we found it to be the hat of the deceased, Mr John T. Taylor. We immediately sent to the Half Moon for the drags, and employed persons to drag the river. They continued dragging from Saturday until Sunday morning. I went on Sunday morning with my friends again to the New River; six of my men were dragging, and an alarm was made that the body was found. I alighted from my chaise, and saw the body brought up; it was perfectly dead, and appeared to have been in the water several days. The flap of the small clothes was unbuttoned; the watch which the deceased always carried about him was not in his fob; and there was no money about the deceased's person, and he never went out without taking money with him; his pockets were turned out; and there were appearances of strangulation; and a black mark on the side of the neck. I know the deceased had a watch, with gold chain and seals, when he left home; he was a very high-spirited young man, and from what I know of him, he would not tamely submit to be robbed; he had a practice of twisting his watch-pocket after he put his watch in it, and I have fre-

quently heard him say, that he would defy any thief to rob him, for if they took his watch, they must also take his pocket. I am of opinion that the villains who murdered the deceased, unbuttoned the flap of his small clothes for the purpose of untwisting the fob pocket and taking the watch. In his pockets remained the following trifling articles:—A watch-key, Akenside's poetical works, pair of gloves, silk handkerchief, pen-knife, a stick of black sealing-wax. The body was carried to Hornsey-wood House. An umbrella which the deceased had with him on Thursday night was found on the iron bridge, which was torn recently, from its appearance. From the deep marks on the bank where the body was found, I am convinced that he made great resistance; some of the heel-marks are several inches in depth in the ground.

Mr Norcutt, of Gray's-inn, being sworn—I lent the deceased an umbrella when he was at my house, and the one found upon the iron bridge of the New River is the same I lent him; it was not torn when I lent it to him; the rent in it appears to have been newly made, and in my opinion was done in the struggle with the persons who attacked him. The hat produced I am sure is the deceased's, and must have floated down the river to the grate at the Sluice-house. I made particular inquiries at West-green, at the Black Boy, and learned that a gentleman's house was robbed on Thursday night about the time the deceased left the Jolly Butchers, and I have no doubt, from the direction which the thieves took, and the road the deceased went, that the thieves went across the fields, and met with the deceased on the bridge opposite the tile-kilns.

After several other witnesses had been examined, the Jury returned the following verdict:—Wilful murder against some person or persons un-

known, the deceased having been, in our opinion, strangled, robbed, and thrown into the New River.

23d.—THE FOG.—The metropolis was yesterday enveloped in a fog, the most dense that has been witnessed for several years. The darkness in the early part of the day was not so very great as to be attended with extraordinary inconvenience; but it gradually increased, and about four o'clock it became impossible to discern an object at the distance of a few paces. The carriages and waggons moving along the streets were not discernable from the flagways, and the passengers on the latter derived very little aid from the lights in the windows, or in the lamps, as most of the shops, from fear of accidents, were shut, and several of the latter were extinguished by the fog; even those which did burn afforded but a very feeble twinkling light, not visible until a near approach. The coachmen alighted from their boxes to lead their horses, and the link-boys were in great numbers to offer their assistance; but with every possible care and precaution, the passengers, both on foot and in carriages, seldom succeeded in making their way without mistakes—and horses and carriages frequently deviated from the street to the flagways, to the imminent danger of the passengers.

The noises made by the people in the streets were frightful; some shrieking from terror when surprised by the sudden approach of a horse or a carriage, and others calling out to their fellow-travellers, to warn them of danger, or anxiously inquiring their way. In many cases the company deserted their carriages, which remained stationary, the coachmen not knowing where they were. Various sums, from half-a-crown to ten shillings, were obtained by link-boys for conducting a carriage through a single street. In the theatres, the actors on the stage were scarcely visible to the audience;

and even private houses, though closed and well furnished with fires, were filled and darkened by this unwelcome visitor. Between eleven and twelve o'clock, however, the rattling of the carriages indicated its departure, and the metropolis had nearly resumed its usual appearance at that hour. The fog, while it lasted, afforded a golden opportunity to the thieves and pick-pockets, of which they did not fail to avail themselves. A most daring gang of thieves paraded Piccadilly, and committed extensive depredations upon the public with impunity. About the hour of five o'clock, several ladies who had hired a coach, alighted near the barracks at Knightsbridge, and in consequence of the intense fog, they employed a linkboy to light them as far as the Strand. While they were proceeding along near the Cannon Brewhouse, a dastardly fellow came up with a link blazing in his hand and dashed it among the ladies, six in number, which threw them into the utmost confusion. The lighted stuff that was annexed to the link stuck on the ladies' dresses, and burned them very much; at this instant a great many persons came up, who attempted to save the females clothes from burning, and cried "shame," at the fellow's wanton act. In the confusion one of the ladies lost a scarf, and several persons passing by at the time lost their property. The fellow who dashed the link made off instantly, and was soon hidden by the fog. Several other depredations were committed about the same time along Piccadilly, &c. It was rendered most dangerous for foot and other passengers along the different roads leading to Kensington, Hammersmith, &c. Several of the lamps were not alight, and carmen and drivers drove their horses on the footpaths, by which one was overturned. A foreign gentleman, driving through Temple-bar, met a broad-wheel waggon on the city side,

which, coming in contact with his chaise on one side, and a cart heavily laden on the other, his vehicle was dashed to pieces. It was a benefit night for the coach-makers. Almost every street presented a similar misfortune. We fear we shall have many accidents to record, in addition to the following :—

A gentleman coming out of the Ship Tavern, Charing-cross, yesterday evening, was run over by a hackney coach as he was crossing the street, and unfortunately killed on the spot. The accident arose from the thickness of the mist, which prevented him from seeing the approach of the vehicle till it was too late to get out of its way. He was immediately carried to a neighbouring public-house, but there were no papers found on him from which his name could be discovered.

About half past seven o'clock yesterday evening, as two of the mails were passing along the Strand during the thick fog, they ran against each other, just opposite to St Clement's Church, and their wheels, by some accident, got locked together. The coachman was flung from one of them, but fortunately escaped without any other injury than a few bruises; and the only further damage that occurred was to one of the leaders, who was thrown upon his knees by the concussion, and was cut in one of them so severely, that it was deemed impossible for him to continue his journey that evening. The mails which followed were each preceded by two link-boys, and had the heads of their leaders held by a man, who ran on along with them.

Many robberies took place in shops, by thieves going into them under the pretence of purchasing some article, and then taking what was nearest and decamping with the same—the fog always making it useless to pursue them.

26th.—The Queen of Spain, Maria Isabella Francis, born at Lisbon, the

19th of May, 1797, daughter of John IV. of Portugal, died at Madrid this day. About nine o'clock in the evening, her Majesty being in bed, and conversing with some persons in attendance, was suddenly seized with a convulsion, which seemed to leave her in two or three minutes. Her Majesty recovered her senses, but remained in a state of anxiety, which was followed quickly by another convulsion. From that moment the attacks continued without interruption; and, notwithstanding every remedy, she expired in about twenty-two minutes from the commencement of the convulsions. The child, which was an Infanta, was baptized, and every means used to preserve its life; they however proved ineffectual, for in a few minutes it expired.

31st.—EXECUTION OF ROBERT JOHNSTON, AND HORRIBLE OUTRAGE! —We have this day to record one of the most disgraceful scenes that ever took place in Edinburgh. We shall not at present enter on the question as to the precaution that might have been taken to insure the due execution of the awful sentence of the law, but simply detail the horrible transactions of yesterday, as far as they fell under our own observation.

The unfortunate man was convicted and sentenced to die for robbing Mr Charles, candlemaker; his two accomplices, Galloway and Lee, were sentenced, the former to fourteen, and the latter to seven years' transportation.

Day-light yesterday exhibited the new apparatus for the melancholy catastrophe. The place fixed upon was before the northmost window on the west side of the New North Church, a few yards from the High-Street. Numerous groups of people continued to assemble about the fatal spot to examine the dreadful preparation, and as the hour approached the crowd was very great.

The unhappy criminal walked from

the Lock-up-house to the scaffold, which he ascended with a firm step, at twenty minutes before three o'clock. After spending a quarter of an hour in prayer, he shook hands with the reverend gentlemen who attended him, and mounted the platform with fortitude.

The executioner occupying a longer time in adjusting the rope than appeared to a great part of the spectators to be necessary, much disapprobation was expressed; the platform sunk about a minute before three.—Unfortunately, the rope was too long, or the height from the scaffold to the beam from which the sufferer was suspended insufficient; in consequence of one or other of these causes, or both, his toes rested on the floor of the scaffold. Just at that moment, a policeman in front, resisting the encroachment of the crowd, pushed one with his baton, who cried out “Murder!” It is probable those at a distance imagined the exclamation to be occasioned by the pitiable situation of Johnston, and therefore joined in it. Stones began to fly towards the scaffold, (of which unluckily the state of the ground afforded an ample supply,) and the Magistrates and their attendants were compelled to make a precipitate retreat. It was well for the executioner that he escaped at the same time, for at such a moment the consequences to him must have been fatal. The mob continued to throw stones, some of which struck the unhappy object of punishment, and others the church windows. At five minutes past three, a person very deliberately stepped from the crowd on the High Street, leaped on the scaffold with a knife ready open, distinguishable from its brightness (or, as we have been informed, a surgical instrument, taken from a case on the instant,) cut the rope, and, with seeming unconcern, returned to the crowd. The body fell with the head to the

front of the scaffold,—a sight harrowing to the feelings of all possessed of the least sensibility.

Missiles still continued to fly, chiefly directed against the windows of the church, almost every pane of which was destroyed. One large stone struck the inanimate head of Johnston a heavy blow. A lame person, with a crutch, next climbed the scaffold, and then a general rush took place. The body was raised up, and the rope unloosed, with which the lame man exultingly descended; the cap was taken off, and thrown among the crowd,—at the same moment a cheer was given by those around the body, meaning, it is supposed, to announce that life remained, which was received by loud clapping. The coffin, light in its materials, was thrown among the crowd, and in less than a minute broken to atoms. The body was then borne off in the direction of the Lawmarket. Bailie Pattison, who was proceeding to the Castle, protected by a strong body of the police, to obtain the aid of the military force, caused the bearers of the body to change their course, and they wheeled about and arrived almost unperceived on the opposite side of the street to the Police Office, evidently without knowing what to do with it; here, on being attacked by the police officers, they dropped the body, divested of clothes from the waist upwards, in the process of carrying, (the most appalling sight of the whole), which was then taken into the Police Office.

A detachment of the 88th regiment arrived soon after, followed by another headed by Major Graham, which were posted across the Lawmarket at the well, and in a similar manner from the High Church to the Exchange.

Various reports were current about the state of the unfortunate man as to his reanimation; however, he was again



carried to the drop, and at five minutes before four o'clock was launched into eternity. The military remained until the whole apparatus was removed; and we are happy to state no further disturbance took place. The shops in the neighbourhood were closed on the first disposition to riot, and many of them were not reopened that night.

We have not heard that any persons were seriously injured; but many inconsiderate women with children in their arms, were thrown down and trampled on.

With feelings keenly alive to the character of our metropolis, we do most sincerely regret the acts of which the above is but an imperfect account; but to prevent improper statements at a distance, we must declare that no appearance of preconcerted riot was visible—on the contrary, it arose, we believe, from the untoward circum-

stances of the instant. It will be long a matter of regret to the country, and to the inhabitants of Edinburgh in particular, that so foul a stain should thus be fixed upon us,—but we trust effectual measures will be adopted on future occasions to prevent the recurrence of scenes at once disgraceful, and repugnant to the feelings of humanity.

We sincerely hope also, that the propriety of changing the hour and place of punishment will now be felt by those in whose hands lie the execution of the law, and that immediate measures will be taken to accomplish both of these desirable objects.

Since writing the foregoing account, we regret to learn that the Rev. Mr Porteous was severely hurt, and carried to the Royal Infirmary; also, that Lieutenant Bremner, of the Police Establishment, was seriously injured.

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V.  
PUBLIC  
AND  
PARLIAMENTARY PAPERS.

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## V.

## PUBLIC AND PARLIAMENTARY PAPERS.

## ACCOUNTS OF THE INCOME AND EXPENDITURE

OF THE

UNITED KINGDOM, IN THE YEAR ENDING 31<sup>st</sup> JANUARY, 1818.

## INCOME.

ENGLAND.		<i>Extraordinary Resources.</i>	
<i>Ordinary Revenues.</i>		Property-tax and Income-duty (Arrears) . . . . .	£. 2,519,109
Customs . . . . .	£. 10,975,312	Lottery (Net Profit) . . . . .	170,918
Excise . . . . .	20,102,274	Unclaimed dividends, &c. . . . .	236,288
Stamps . . . . .	6,549,808	Surplus Fees of Regulated Public Offices . . . . .	27,422
Land and Assessed Taxes . . . . .	7,770,165	Voluntary Contributions . . . . .	5,000
Post-office . . . . .	1,577,894	Issuing Exchequer Bills for Grenada, &c. . . . .	3,484
One shilling in the pound on Pensions and Salaries . . . . .	19,550	Balance due by Ireland on joint Expenditure . . . . .	117,228
Sixpence in the pound on Pensions and Salaries . . . . .	11,700	Repayment of money advanced by Ireland for naval services . . . . .	47,454
Hackney Coaches . . . . .	25,481	Impress Monies repaid . . . . .	268,435
Hawkers and Pedlars . . . . .	21,796	Total Public Income of Great Britain . . . . .	50,805,564
		IRELAND.	
<i>Small Branches of the Hereditary Revenue.</i>		<i>Ordinary Revenues.</i>	
Attenuation Fines . . . . .	£. 7,372	Customs . . . . .	£. 1,738,244
Post Fines . . . . .	7,791	Excise . . . . .	} 2,319,943
Seizures . . . . .	9,447	Taxes . . . . .	
Compositions and Proffers . . . . .	624	Stamps . . . . .	551,957
Crown Lands . . . . .	130,366	Post Office . . . . .	67,030
Total of Ordinary Revenues . . . . .	47,509,910	Poundage Fees . . . . .	4,367
		Polls Fees . . . . .	873
		Casualties . . . . .	2,677
		Total of Ordinary Revenues . . . . .	4,685,295

*Extraordinary Resources.*

Lottery . . . . .	£.25,770	Hides and Skins . . . . .	569,115
Advances made by the Treasury for improving post-roads in Ireland . . . . .	33,330	Hops . . . . .	68,912
Advances made by the Treasury for building gaols . . . . .	18,499	Leicences . . . . .	640,585
Advances made by the Treasury under the Police Act . . . . .	17,218	Malt . . . . .	892,949
Advances for half-pay to reduced Officers, Pensions to Officers' Widows, &c. on the British Establishment . . . . .	9,130	— (Annual) commenced 26th of March . . . . .	695,470
Other Moneys paid to the Public . . . . .	88,254	— (Annual) commenced 24th of June . . . . .	297,971
		— (War) per Act 43 Geo. III. cap. 81 . . . . .	68,100
Total Public Income of Ireland	£.77,694	Paper . . . . .	415,269
		Printed goods . . . . .	270,193
		Salt . . . . .	1,407,671
		Soap . . . . .	880,627
		Spirits (British) . . . . .	1,721,345
		— per Act 51 Geo. III. cap. 59 . . . . .	471,415
		— per Act 43 Geo. III. cap. 81 (War) . . . . .	569,651
		Spirits (Foreign) . . . . .	1,125,805
		— per Act 51 Geo. III. cap. 59 . . . . .	84,364
		— per Act 43 Geo. III. cap. 81 (War) . . . . .	666,523
		Brandy, &c. per Act 47 Geo. III. cap. 27. (War) . . . . .	115,985
		— per Act 52 Geo. III. cap. 3 (War) . . . . .	—
		Starch . . . . .	24,647
		Stone Bottles . . . . .	226
		Sweets and Mead . . . . .	7,899
		— per Act 43 Geo. III. cap. 81 (War) . . . . .	1,217
		Tea . . . . .	1,375,592
		— per Act 43 Geo. III. cap. 81 (War) . . . . .	1,407,509
		Tobacco and Snuff . . . . .	617,327
		— (Annual) commenced 26th of March . . . . .	476,614
		— (War) per Act 46 Geo. III. cap. 39 . . . . .	334,998
		Vinegar . . . . .	36,761
		Wine . . . . .	1,049,305
		Wire . . . . .	7,165
		Total permanent Duties . . . . .	15,160,332
		— Annual Duties . . . . .	1,470,055
		— War Duties . . . . .	3,164,012
		Grand Total of Excise Duties . . . . .	19,794,400

*Appropriated Duties for Local Objects.*

Linen Manufactures . . . . .	£.125
Improvement of Dublin . . . . .	12,167
Repairs of the Royal Exchange, &c. . . . .	1,639
Lagan Navigation . . . . .	3,910
Ins of Court . . . . .	1,994
Light-houses . . . . .	23,260
Dunleary Harbour . . . . .	8,868
Waterford Harbour . . . . .	1,659
Total of Appropriated Duties For Local Objects . . . . .	53,628
Total, including the appropriated Duties . . . . .	4,031,323

## EXCISE.

*Net Payments into the Exchequer, in the Year ending the 5th January, 1818, of the Duties of Excise in Great Britain.*

Auctions . . . . .	£.243,223
Beer . . . . .	2,303,361
Bricks and Tiles . . . . .	241,805
Candles . . . . .	287,669
Cocoa-nuts and Coffee . . . . .	119,224
Cider, Perry, and Verjuice . . . . .	18,169
Glass . . . . .	286,719

Total permanent Duties . . . . .	15,160,332
— Annual Duties . . . . .	1,470,055
— War Duties . . . . .	3,164,012
Grand Total of Excise Duties . . . . .	19,794,400

## PAYMENTS INTO THE EXCHEQUER

OF

DUTIES ARISING FROM STAMPS IN GREAT BRITAIN, &amp;c.

	ENGLAND.	SCOTLAND.
Deeds, Law Process, and other written Instruments (except Legacy Receipts, Probates, Administrations, and Testamentary Inventories, Bills of Exchange, and Promis- sory Notes and Receipts, and Licences to Dealers in Fiscal Lave	L. 1,926,337	L. 193,506
Legacies	326,595	23,770
Probates, Administrations, and Testamentary Inventories	646,121	21,030
Bills of Exchange and Promissory Notes	670,294	100,430
Receipts	179,394	13,650
Newspapers	279,721	9,360
Almanacks	31,160	—
Medicine and Medicine Licences	35,261	430
Fire Insurances	510,816	19,160
Cards	20,669	—
Gold and Silver Plate	69,336	3,910
Dice	763	—
Pamphlets	794	43
Advertisements	113,747	12,530
Stage-Coaches	243,296	14,300
Post-Horses	211,375	—
Race-Horses	399	49
	5,324,623	412,300
Louery	3,179	—

NET PRODUCE OF THE REVENUE ARISING FROM THE  
POST-OFFICE.

Ireland, East and West Indies, and America	L. 1,031,479
Foreign	121,320
Twopenny Post	57,729
Scotland	132,702
Ireland	19,135
	<u>L. 1,362,365</u>

HEADS OF EXPENDITURE.		£	
Total on Account of Interest		29,166,000	£
Charges of Management		284,589	
Reduction of the National Debt		11,657,559	
			44,108,235
The INTEREST ON EXCHEQUER BILLS			1,615,926
The CIVIL LISTS of { England		1,029,000	
{ Ireland		163,168	
			1,191,168
Particular Charges on the Consolidated Fund.			
{ Courts of Justice in England		64,541	
{ Mint		15,000	
{ Allowances to the Royal Family, Pensions, &c.		447,637	
{ Salaries and Allowances		62,920	
{ Bounties and Compensations		3,841	
{ Miscellaneous		133,270	
			727,211
{ Permanent Charges in Ireland			305,202
The CIVIL GOVERNMENT OF SCOTLAND			130,616
The other PAYMENTS in ANTICIPATION of the EXCHEQUER			
RECEIPTS, viz.—			
Bounties for Fisheries, Manufactures, { Customs		273,095	
Corn, &c. { Excise		51,950	
			330,045
Pensions on the Hereditary Revenue { Excise		11,000	
{ Post-Office		13,700	
Militia, and Deserters' Warrants, &c.			27,700
The NAVY, viz.—			93,657
Wages		2,521,000	
General Services		2,795,500	
		5,317,500	
The Victualling Department		1,155,476	
			6,473,062
The ORDNANCE		1,411,075	
Deduct the Value of Stores supplied by the Board of Ordnance to Foreign Powers, the Expense of which is reimbursed to the Ordnance Department by the Paymaster-General, under Warrants of the Treasury		5,673	
The ARMY, viz.—			1,435,401
Ordinary Services		7,014,494	
Extraordinary Services, including Remittances and Advances to other Countries		3,659,898	
		10,674,392	
Deduct the Amount of Repayments for which Credit is given in the Extraordinary Services of the Army		1,252,016	
Also, the Amount of Remittances and Advances to other Countries		7,502	
			9,614,864
LOANS, REMITTANCES, and ADVANCES, to other Countries, viz.—			
Ireland		25,770	
Russia		54	
America		544	
Morocco		5,673	
Tunis		153	
Holland		1,075	
			33,272
ISSUES from APPROPRIATED FUNDS, for Local Purposes			12,585
MISCELLANEOUS SERVICE.—			
At Home		2,301,695	
Abroad		164,781	
			2,466,476
			2,466,476
Deduct Remittance to Ireland		25,770	
Sinking Fund on Loan to the East-India Company		130,263	
			165,033

## DISPOSAL OF CIVIL LIST REVENUE.

For the Support of his Majesty's Household, per Act 17 Geo. 3	L 898,000	6	6
Ditto . . . . . 41 ditto	60,000	0	0
Ditto . . . . . 52 ditto	70,000	0	0

## COURTS OF JUSTICE, &amp;c.

Judges of England and Wales, in Augmentation of their Salaries	13,050	0	0
Deficiencies of Judges Salaries in England . . . . .	12,992	2	8
Additional Salaries to Welch Judges . . . . .	3,200	0	0
John Baldwin, Esq. Receiver of the Seven Police Offices . . . . .	21,642	18	6½
Patrick Colquhoun, Esq. Ditto Thames Police Office . . . . .	7,566	11	8
Henry John Hinchcliffe, Vice Admiralty Judge at Jamaica . . . . .	2,000	0	0
Sheriffs of England and Wales . . . . .	4,000	0	0

## MINT.

Master of the Mint in England . . . . .	13,800	0	0
Ditto Ditto Scotland . . . . .	1,200	0	0

## SALARIES AND ALLOWANCES.

Speaker of the House of Commons, to complete his Salary of £6,000 per annum	2,627	15	9
Edward Roberts, Esq. an annual Sum formerly paid to the Auditor . . . . .	650	0	0
George Pepler, Esq. Inspector of 'Fontine Certificates' . . . . .	750	0	0
Chief Cashier of the Bank, for Fees paid at sundry Public Offices . . . . .	1,160	0	0
Ditto . . . South Sea Company, for Ditto . . . . .	275.16	0	
For the Encouragement of the Growth of Hemp and Flax in Scotland . . . . .	2,956	13	8

## COMMISSIONERS OF PUBLIC ACCOUNTS.

William Mackworth Praed, Esq. Chairman . . . . .	1,500	0	0
Sir Charles W. R. Boughton, Bart. . . . .	1,200	0	0
Francis Percival Elliot, Esq. . . . .	1,200	0	0

# **PUBLIC AND PARLIAMENTARY PAPERS. 297**

Richard Dawkins, Esq. . . . .	L.1,200	0	0
John Sargent, Esq. . . . .	1,200	0	0
John Anstey, Esq. . . . .	1,200	0	0
John Whishaw, Esq. . . . .	1,200	0	0
Salaries and Contingencies in the Office of the said Commissioners . . . . .	36,781	0	0

## **COMMISSIONERS OF WEST INDIA PRODUCE.**

John Halket, Esq. Chairman . . . . .	1,500	0	0
James Chapman, Esq. . . . .	1,000	0	0
John Wilson, Esq. . . . .	1,000	0	0
Salaries and Contingencies in the Office of the said Commissioners . . . . .	6,518	17	8

## **MISCELLANEOUS.**

Interest, &c. on a Moiety of 50 millions of florins, raised by the House of Hope & Co. for the Service of Russia, per 55 Geo. 3, cap. 115 . . . . .	130,641	7	0
Deficiency of Profits to the South Sea Company, per 55 Geo. 3, cap. 57, sect. 3 . . . . .	2,628	14	2
Bounty to Lieut. G. B. Vinc, on Seizure of Slaves on board La Parisienne, and condemned at the Mauritius . . . . .	3,685	0	0
Ditto to Sir Ralph Woodford, on Seizure and Condemnation of Slaves imported into the West Indies . . . . .	78	0	0
Ditto to Augustus Pechell, Esq. for the like Service . . . . .	78	0	0

## **PENSIONS.**

Earl of Chatham . . . . .	4,000	0	0
Lord Rodney . . . . .	2,000	0	0
Lady Dorchester . . . . .	1,000	0	0
John Penn, Esq. . . . .	1,000	0	0
Richard Penn, Esq. . . . .	3,000	0	0
Duke of Clarence . . . . .	12,000	0	0
Duke of York . . . . .	14,000	0	0
Duchess of York . . . . .	4,000	0	0
Prince of Wales . . . . .	65,000	0	0
Earl St Vincent . . . . .	2,000	0	0
Viscount Duncan . . . . .	2,000	0	0
Duke of Kent . . . . .	12,000	0	0
Duke of Cumberland . . . . .	12,000	0	0
Duke of Richmond . . . . .	6,333	6	8
Lord Erskine . . . . .	4,000	0	0
Sir Arch. Macdonald . . . . .	2,500	0	0
Sir James Mansfield . . . . .	2,500	0	0
Sir Alan Chambré . . . . .	2,000	0	0
Sir Sydney Smith . . . . .	1,000	0	0
Baroness Abercrombie . . . . .	2,000	0	0
John Woodfield Compton, Esq. . . . .	1,000	0	0
Alexander Croke, Esq. . . . .	1,000	0	0
Duke of Sussex . . . . .	12,000	0	0



Duke of Cambridge	L.12,000	0	0
Lord Hutcheson	2,000	0	0
Sir James Saumarez	1,200	0	0
Lord Boringdon et al. in trust for Lord Amherst	3,000	0	0
Duke of Athol	2,360	12	5½
Henry Moreton Dyer, Esq.	1,000	0	0
John Sewell, Esq.	1,000	0	0
William Territt, Esq.	1,000	0	0
Lady Nelson	2,000	0	0
Sir Richard Strachan	1,000	0	0
Lady Collingwood	1,000	0	0
Hon. Sarah Collingwood	500	0	0
Mary Pat. Collingwood	500	0	0
Sir John Duckworth (dead)	500	0	0
Duke of Clarence	6,000	0	0
Duke of Kent	6,000	0	0
Duke of Cumberland	6,000	0	0
Duke of Sussex	6,000	0	0
Duke of Cambridge	6,000	0	0
Duke of Gloucester	14,000	0	0
Princess Sophia of Gloucester	7,000	0	0
Earl Nelson	5,000	0	0
Lord Rodney	923	1	6
Viscount Lake	2,000	0	0
Viscount Wellington	2,000	0	0
Earl of Wellington	2,000	0	0
Hon. Jant Perceval (now Carr)	2,000	0	0
Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, 9,000 <i>l.</i> to each	36,000	0	0
Sir Archibald Macdonald	800	0	0
Sir James Mansfield	800	0	0
Sir Alan Chambré	600	0	0
Princess of Wales	33,000	0	0
Duke of Wellington	13,000	0	0
Lord Beresford	2,000	0	0
Lord Combermere	2,000	0	0
Lord Exmouth	2,000	0	0
Lord Hill	2,000	0	0
Lord Lynedoch	2,000	0	0
Lord Walsingham (dead)	2,000	0	0
Duke of York et al. in trust for the late Princess Charlotte and Prince of Cobourg	45,000	0	0
Ditto for the Prince of Cobourg	8,630	13	9½
Duke of York	12,000	0	0
Duke of Clarence	2,000	0	0
Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, 4,000 <i>l.</i> to each	16,000	0	0
Lord Colchester	3,000	0	0
<b>TOTAL</b>	<b>L.1,755,211</b>	<b>1</b>	<b>7</b>

## DISPOSAL OF PARLIAMENTARY GRANTS.

NAVY	1,759,022	1	2
ORDNANCE	1,370,636	3	10
FORCES	9,112,373	14	01

For defraying the Charge of the Civil Establishments under-  
mentioned; viz.

Of Sierra Leone, from the 1st of January to the 31st of Decem- ber 1817	15,814	0	0
Ditto Nova Scotia from Ditto to Ditto	13,440	0	0
Ditto New South Wales from Ditto to Ditto	12,815	0	0
Ditto Upper Canada from Ditto to Ditto	11,325	0	0
Ditto New Brunswick from Ditto to Ditto	6,217	10	0
Ditto Newfoundland from Ditto to Ditto	5,445	0	0
Ditto St John (now called ) • Prince Ed. Island ) from Ditto to Ditto	3,826	0	0
Ditto Bahama from Ditto to Ditto	3,301	10	0
Ditto Cape Breton from Ditto to Ditto	2,550	0	0
Ditto Dominica from Ditto to Ditto	600	0	0
Expenses of a Civil nature in Great Britain, as do not form a part of the Ordinary Charges of the Civil List	500,000	0	0
Interest on Exchequer Bills	1,900,000	0	0
One hundredth part of 33 millions of Exchequer Bills, autho- rized last Session to be issued and charged upon the Aids granted in the present Session, to be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the year ending the 1st of February 1818	330,000	0	0
For paying off and discharging, on the 5th of April, 1817, cer- tain Annuities granted by two Acts of the 37th and 42d of his Majesty	41,820	8	4
For the Relief of American Loyalists; for the year 1817	13,500	0	0
Expence of Confining and Maintaining Criminal Lunatics; for 1817	3,000	0	0
Charge of the Superannuation Allowance, or Compensation to one of the late Paymasters of Exchequer Bills; for 1817	266	13	4
Superannuation Allowances, or Compensations to Retired Clerks and other Officers, formerly employed in the Office of the Commissioners for Auditing the Public Accounts; for 1817	1,050	0	0
Superannuation Allowances or Compensations to Retired Clerks and other Officers, formerly employed in the Lottery Office, for 1817	331	10	0
To Ditto • • • Ditto formerly employed in his Majesty's Mint; for 1817	620	0	0

To be applied in further Execution of an Act of the 43d of his Majesty, towards making Roads and building Bridges in the Highlands of Scotland; for 1817	L.20,000	0	0
Towards the Repair of Henry the Seventh's Chapel; for 1817	2,695	18	10
Expence of the National Vaccine Establishment; for 1817	3,000	0	0
Expence of works carrying on at the College of Edinburgh; for 1817	10,000	0	0
Expence of the Establishment of the Penitentiary House; from the 24th of June 1817, to the 24th of June 1818	11,400	0	0
Towards defraying the expence of the building of a Penitentiary House at Milbank; for 1817	40,000	0	0
Expence of making an Inland Navigation, from the Eastern to the Western Sea, by Inverness and Fort-William; for 1817	25,000	0	0
To complete the original estimated expence of the works at Holyhead Harbour; for the present year	7,614	0	0
Landing-place at Port Devargh, on the Hill at Holyhead, for the landing of the Mails from the Packets by Boats	450	0	0
Expence of improving sundry portions of the Holyhead Roads	20,000	0	0
Expence of maintaining and repairing the British Forts on the Coasts of Africa for 1817	23,000	0	0
Board of Agriculture; for 1817	3,000	0	0
Royal Military College; for 1817	28,155	4	9
Royal Military Asylum at Chelsea; from the 23th December 1816, to the 24th December 1817	34,415	5	5
Expence attending the confining, maintaining, and employing Convicts at Home; for 1817	74,300	0	0
To defray Bills drawn, or which may be drawn, from New South Wales; for 1817	80,000	0	0
Charge of Printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates, throughout the United Kingdom, and for the Acting Justices throughout Great Britain; also for Printing Bills, Reports, Evidence and other Papers, and Accounts for the House of Lords; for 1817	17,000	0	0
Printing 1,250 copies of the 49th volume of the Journals of the House of Peers	2,552	12	3
To make good the deficiency of the Grant of 1816, for printing 1,750 copies of the 69th volume of the Journals of the House of Commons	815	8	4
For defraying the expence that may be incurred in 1817, for printing 1,750 copies of the 70th volume of the Journals of the House of Commons; being for the Session 1815	3,500	0	0
For defraying the expence that may be incurred in 1817, for printing 1,750 copies of the 71st volume of the Journals of the House of Commons; being for the Session 1815	3,250	0	0
For Ditto . . . Ditto . . . for 72d volume of Ditto	3,250	0	0
For defraying the expence that may be incurred for printing Journals and Reports of the House of Commons; for 1817	8,500	0	0
To make good the deficiency of the Grant for 1816, for reprinting Journals and Reports of the House of Commons	6,472	17	0
To defray the expence of printing Bills, Reports, and other Papers, by order of the House of Commons, during the present Session of Parliament	21,000	0	0
To make good the deficiency of the Grant of 1816, for defraying the expence of printing Bills, Reports, and other Papers, by order of the House of Commons, during the last Session	8,197	6	8

To defray the expense of printing the Votes of the House of Commons during the present Session	£2,590 0 0
Charge of the Superintendence of Aliens; for the year 1817	4,895 6 0
To defray the expense of Law Charges; for 1817	20,000 0 0
For defraying the extraordinary expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for the year 1817	4,000 0 0
On account of the expenses to be incurred in the Management of the British Museum; for 1817	8,377 16 5
To make good the deficiency of the Grant in the present Session for printing 1,750 copies of the 70th volume of Journals of the House of Commons	400 18 8
Supplemental charge for Miscellaneous Printing, done by order of the House of Commons, in the Session of 1816	8,951 0 6
Extraordinary expenses of the Mint, in the Gold Coinage; for 1817	40,000 0 0
Charges of preparing and drawing the Lotteries, for 1817, &c.	18,000 0 0

*For Defraying the Charge of the following Civil Services in Ireland:*

To make good the permanent Charges of Ireland, outstanding and unprovided for, on the 5th of January 1817	246,508 14 2
Remuneration of several Public Officers in Ireland, for their extraordinary trouble in 1817	2,153 16 11
Expenditure of the Board of Works in Ireland; for 1817	19,539 1 64
Charge of Printing, Stationary, and other Disbursements, for the chief and under Secretary Offices and apartments, and other Public Offices in Dublin Castle, &c.; and for riding charges, and other expenses of the Deputy, Pursuivants and extra Messengers attending the said Offices; also Supernunuated Allowances in the said chief Secretary's Office; for one year, ending the 5th January 1818	20,809 11 9
Expense of publishing Proclamations, and other matters of a Public nature, in the Dublin Gazette and other newspapers in Ireland; for one year, ending the 5th January 1818	9,892 6 17
Expense of printing 1,200 copies of a compressed quarto edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland, and also 250 copies of a folio edition of ditto, bound, for the use of the Lords, Bishops, and Public Officers in Ireland	3,439 12 37
Criminal Prosecutions and other Law expenses in Ireland; from 5th Jan. 1817, to 5th Jan. 1818	23,076 18 54
Expenses of apprehending Public Offenders in Ireland; from 5th Jan. 1817, to 5th Jan. 1818	2,307 13 10
For completing the Sum necessary for the Support of the Non-conforming Ministers in Ireland; from 5th Jan. 1817, to 5th Jan. 1818	8,581 10 11
For the Support of the Seceding Ministers from the Synod of Ulster in Ireland; for one year, from the 25th March 1817, to 25th March, 1818	3,794 15 47
Salaries of the Lottery Offices in Ireland; for one year, ending the 24th June, 1817	1,949 10 94
Expense of Pratique of the Port of Dublin; from the 25th December, 1815, to the 5th Jan. 1817	939 0 94

Charge of Clothing the Battle-Axe Guards; for 18 months, commencing from the 1st December 1817	L. 683 1 6
To complete the Works of the Harbour of Howth	10,133 15 21
To carry on the Works at Dunmore Harbour in the current year	12,923 1 6
Civil Contingencies in Ireland; for the year, ending 5th Jan. 1818	40,000 0 0
Board of Inland Navigation in Ireland	4,000 0 0
Expence of building Churches and Glebe Houses, and purchasing Glebes in Ireland; for one year, ending 5th Jan. 1818	9,220 15 4
To be paid to the Trustees and Commissioners of First Fruits in Ireland, to be by them employed towards the building, rebuilding, and enlarging of Churches and Chapels, the building of Glebe Houses, and procuring Glebes in Ireland, in such manner as they shall think fit	18,461 10 9
For defraying the expence of the Trustees of the Linen and Hempen Manufactures of Ireland; for one year, ending the 5th January, 1818, to be by the said Trustees applied in such manner as shall appear to them to be most conducive to promote and encourage the said Manufactures	19,938 9 2
For defraying the expence of the Commissioners for making wide and convenient Streets in Dublin; for one year, ending the 5th January, 1818	11,076 18 5
Additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for 1817	276 18 5
Royal Irish Academy of Dublin; for the year, ending 5th January, 1818	323 1 6
Foundling Hospital at Dublin; for Ditto	32,515 7 8
House of Industry and Asylums for industrious Children in Dublin; for Ditto	36,647 1 6
Richmond Lunatic Asylum at Dublin; for Ditto	7,310 15 4
Hibernian Society for Soldiers' Children at Dublin; for Ditto	7,752 18 5
Hibernian Marine Society in Dublin; for Ditto	2,755 7 8
Female Orphan House, in the Circular Road, Dublin; for Ditto	2,769 4 7
Westmoreland Lock Hospital in Dublin; for Ditto	8,316 18 5
Lying-in Hospital in Dublin; for Ditto	3,148 12 3
Dr Steeven's Hospital; for Ditto	1,467 13 10
House of Recovery and Fever Hospital in Cork-street, Dublin; for Ditto	4,615 7 8
Hospital for Incurables at Dublin; for Ditto	465 4 7
Association for discountenancing Vice, and promoting the knowledge and practice of the Christian Religion; for Ditto	3,430 3 1
Green Coat Hospital for the City of Cork; for Ditto	104 6 2
Society for Promoting the Education of the Poor in Ireland; for Ditto	8,910 9 2
Dublin Society; for Ditto	9,230 15 4
Farming Society of Ireland; for Ditto	4,539 13 10
Cork Institution; for Ditto	2,307 13 10
Protestant Charter Schools of Ireland; for 1818	34,343 13 10
Roman Catholic Seminary; for Ditto	8,924 18 5

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22,364,627 18 3

PAYMENTS FOR OTHER SERVICES,

*Not being part of the Supplies granted for the Service of the Year.*

James Fisher, Esq. on his Salary for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. III. cap. 1	L. 375 0 0
Expenses in the Office of the Commissioners for Reduction of the National Debt	3,500 0 0
Bank of England, for Management on Life Annuities	1,006 7 11
Expenses in the Office for issuing Exchequer Bills for Employment of the Poor	2,200 0 0
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	L. 7,081 7 11
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## AMOUNT AND REDEMPTION OF

GREAT BRITAIN.			
	Total Amount of Debt. — Co. 1.	Debt contracted in each Year. — Co. 2.	Debt redimitted in each Year, including prior Contributions paid off. — Co. 3.
1786	238,231,248	—	—
1787	238,231,248	—	823,750
1788	238,231,248	—	1,445,300
1789	238,231,248	—	1,604,350
1790	238,231,248	—	1,558,850
1791	238,231,248	—	1,587,500
1792	238,231,248	—	1,507,100
1793	238,231,248	—	1,893,680
1794	244,481,248	6,250,000	2,174,405
1795	260,157,773	15,676,525	2,804,945
1796	311,863,471	51,708,698	3,083,455
1797	368,808,040	56,945,569	4,380,670
1798	394,159,040	25,350,000	6,695,585
1799	428,783,220	35,624,250	7,779,807
1800	451,658,990	21,875,000	20,211,671
1801	480,705,290	29,046,000	10,241,776
1802	536,657,608	55,854,312	9,225,739
1803	567,008,978	30,351,375	8,846,450
1804	583,008,978	16,000,000	12,409,854
1805	608,225,798	20,916,814	21,251,711
1806	640,744,103	36,225,311	22,275,475
1807	670,632,100	29,880,000	14,085,017
1808	689,005,203	18,873,200	14,672,717
1809	702,698,566	12,693,255	14,728,227
1810	723,878,678	21,875,123	15,061,831
1811	743,727,785	19,811,107	16,106,269
1812	779,032,496	29,244,711	18,622,590
1813	819,775,227	40,743,081	21,816,457
1814	907,495,050	93,730,423	24,763,646
1815	992,281,680	24,705,930	19,799,868
1816	1,008,090,282	70,898,403	20,647,128
1817	1,006,090,282	3,000,000	19,546,201
*1818	3,109,123,038	—	18,512,227

\* Great Britain and Ireland consolidated by 56 Geo. 2. c. 93.

## NATIONAL DEBT, FROM 1786 TO 1818.

IRELAND, funded in GREAT BRITAIN.				
Total unredeemed Debt. — Co. 4.	Total Amount of Debt. — Co. 6.	Debt contracted in each Year. — Co. 5.	Debt redeemed in each Year. — Co. 7.	Total unredeemed Debt. — Co. 3.
L.	£L.	L.	L.	L.
334,331,340	—	—	—	—
237,563,498	—	—	—	—
236,111,330	—	—	—	—
234,663,348	—	—	—	—
233,046,396	—	—	—	—
231,458,898	—	—	—	—
229,951,798	—	—	—	—
227,869,148	—	—	—	—
222,064,743	—	—	—	—
244,946,323	—	—	—	—
333,563,566	—	—	—	—
346,118,465	—	—	—	—
364,787,880	3,925,000	3,925,000	15,404	2,939,386
392,612,323	6,925,000	4,040,000	96,850	6,813,036
394,375,358	12,175,000	5,230,000	130,185	11,932,331
413,048,377	15,315,000	5,140,000	233,360	14,832,321
459,037,551	19,708,750	4,336,750	310,328	18,387,323
480,572,478	23,342,000	2,692,540	337,008	21,324,328
484,182,822	25,542,000	3,300,000	473,256	23,339,329
493,127,786	23,735,000	3,190,000	579,428	31,582,301
517,220,551	28,336,000	4,690,000	722,849	35,494,052
533,075,548	417,18,000	2,330,000	807,303	37,996,059
530,776,028	47,135,325	3,421,325	907,583	42,510,099
535,741,052	50,094,000	2,974,375	951,463	44,513,611
541,957,834	53,094,000	3,000,000	1,013,377	47,100,034
545,662,698	61,374,320	7,880,320	1,153,716	53,544,368
559,284,819	61,374,320	Included in Great Britain.	1,356,376	52,188,292
575,211,392	68,930,250	7,836,000	1,367,541	58,276,751
644,168,169	79,120,250	10,200,000	1,798,444	66,678,717
649,074,295	86,725,750	7,348,500	1,812,122	72,306,079
689,315,316	103,302,750	16,500,000	2,216,699	84,452,003
682,769,314	103,000,750	—	2,607,101	89,044,304
748,301,991	—	—	—	—

  

The Sums in Columns 3, and 7, have been re- deemed and transferred as follows:—		L.
By the Sinking Fund . . . . .	—	328,274,369
Land Tax . . . . .	—	25,389,233
Life Annuities purchased . . . . .	—	4,323,385
Stock, the Dividends due upon which have remained unclaimed 10 Years and upwards	—	222,037
Purchased with Unclaimed Dividends . . . . .	—	348,600
5 per Cents 1797, paid off . . . . .	—	358,557,624
	—	2,363,417
	—	360,921,041

The Sums in Columns 3, and 7, amount to 360,921,041  
The Difference arises from the Fractional Parts of a Pound being omitted

S. HIGHAM.



## COMMERCIAL STATEMENTS.

Years ending Jan. 1.	Official Value of IMPORTS into Great Britain.	Official Value of EXPORTS from Great Britain.			Value of the Produce and Manufactures of the United Kingdom exported from Great Britain.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	Total Exports.	
Value of exports of Trade with Ireland.	1815 L. 36,559,788	L. 36,130,733	L. 20,508,496	L. 56,624,229	L. 47,559,368
	1816 35,988,650	44,048,701	16,920,608	60,978,309	53,909,809
	1817 30,105,565	36,687,840	14,545,964	51,243,574	48,055,257
	1818 33,971,025	41,530,516	11,534,616	53,125,132	48,614,130
Value, exclusive of Trade with Ireland.	1815 L. 32,620,770	L. 33,900,580	L. 19,157,818	L. 52,858,398	L. 43,447,372
	1816 31,822,053	41,712,002	15,708,434	57,420,436	49,653,245
	1817 26,971,920	34,774,520	13,441,665	48,216,185	40,328,940
	1818 29,916,320	39,235,397	10,300,271	49,504,668	40,337,118

Years ending Jan. 1.	Official value of IMPORTS into Ireland.	Official Value of EXPORTS from Ireland.			Value of the Produce and Manufactures of the United Kingdom, exported from Great Britain.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	Total Exports.	
Value, exclusive of Trade with Gr. Britain.	1815 L. 6,687,732	6,114,878	475,370	L. 6,590,249	12,620,695
	1816 5,687,117	6,360,184	178,676	6,538,861	11,381,559
	1817 4,693,745	6,042,353	167,869	6,208,123	8,570,977
	1818 5,644,173	6,412,892	150,569	6,563,454	10,536,325
Value, exclusive of Trade with Gr. Britain.	1815 1,134,493	1,006,672	208,162	1,214,835	2,046,846
	1816 1,165,342	1,163,994	40,117	1,204,112	1,949,782
	1817 1,050,618	932,498	42,374	974,862	1,328,933
	1818 889,335	851,548	23,413	874,961	1,411,697

## SPECIES OF EXPORTS

Wool	432,084	Wine of all other sorts	86,448
Bacon and Hams	62,346	Hops	100,331
Bark (British Oak) for Tannery	135,027	Iron and Steel, wrought and unwrought	1,308,072
Beef and Pork, salted	234,349	Lead and Shot	346,467
Beer and Ale	354,881	Leather, wrought and unwrought	396,817
Brass and Copper Manufactures	795,343	Leather, Saddlery and Harness	126,430
Bread and Biscuit	150,445	Linen Manufactures	1,720,988
Butter and Cheese	210,531	Molasses	66,486
Cabinet and Upholstery Wares	143,562	Musical Instruments	88,073
Coals and Culm	411,485	Oil (Train) of Greenland Fishery	60,813
Cardage	134,451	Plate, Plated Ware, Jewellery, and Watches	354,951
Corn, Grain, Meal, and Flour	1,366,909	Salt	156,989
Cotton Manufactures	14,178,021	Saltpetre, British, refined	31,528
— Yarn	2,151,639	Seeds of all sorts	50,031
Earthenware of all sorts	532,887	Shoe Manufactures	482,631
Fish of all sorts	423,712	Soap and Candles	180,063
Glass of all sorts	762,595	All other Articles	3,164,064
Haberclashery and Millinery	410,634		
Hardware and Cutlery	1,197,874		
Stationery of all sorts	217,950		
Sugar, refined	2,500,306		
Tin, unwrought	200,179		
— and Pewter Wares and Tin Plates	279,425		
Tobacco, British Manufactured	2,339		
Whalebone	14,004		
Woollen Manufactures	7,047,352		
Hats, Beaver and Felt	261,668		

Total declared Value of the Produce and Manufactures of the United Kingdom, exported from Great Britain, to all parts of the World . . . . . 43,814,136

Number of VESSELS, with the Amount of their Tonnage, and the Number of Men and Boys.						
	On Sept. 30, 1816.			On Sept. 30, 1817.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	21,515	2,479,733	156,51	21,290	2,397,965	152,352
Ireland, Guernsey, Jersey, and Man . . . . .	111	24,564	3,445	485	23,689	3,190
British Plantations . . . . .	3,765	229,643	10,859	3,571	243,432	15,471
Total . . . . .	25,801	2,783,940	176,820	24,946	2,664,986	171,013

## REPORT

*Of the Secret Committee of the House of Lords on the Internal State of the Country.*

THE Committee have proceeded to examine the papers referred to them.

In execution of this duty they have proceeded, in the first place, to consider such of the said papers as contained information as to the state of those parts of England in which the circumstances detailed in the two reports of the former committees appear to have arisen.

In the last of those Reports, presented to the House on the 13th of June last, it was represented, that the period of a general rising, of which the intention and object were stated in the Reports, appeared to have been fixed for as early a day as possible after the discussion of an expected motion for reform in Parliament; that Nottingham appeared to have been intended as the head-quarters, upon which a part of the insurgents were to march in the first instance; and that they expected to be joined there, and on their march towards London, by other bodies, with such arms as they might have already provided, or might procure by force from private houses, or from the different depots or barracks, of which the attack was proposed. That concurrent information, from many quarters, confirmed the expecta-

tion of a general rising about the time above-mentioned, but that it was subsequently postponed to the 9th or 10th of June, for which, various reasons had been assigned. The Report added, that the latest intelligence from those quarters had made it highly probable that the same causes which had to that time thwarted the execution of those desperate designs, viz. the vigilance of the government, the great activity and intelligence of the magistrates, the ready assistance afforded under their orders by the regular troops and yeomanry, the prompt and efficient arrangements of the officers intrusted with that service, the knowledge which had from time to time been obtained of the plans of the disaffected, and the consequent arrest and confinement of the leading agitators, would occasion a still farther postponement of their atrocious plans.

It now appears, that in the night of the 9th of June last, a rising took place in Derbyshire, headed by a person who went for that purpose from Nottingham, and was therefore called "The Nottingham Captain." The insurgents were not formidable for their numbers, but they were actuated by an atrocious spirit. Several of them

had fire-arms; others had pikes, previously prepared for the purpose; and as they advanced towards Nottingham they plundered several houses of arms, and in one instance a murder was committed. They compelled some persons to join them, and endeavoured to compel others by threats of violence, and particularly by the terror of the murder which had been committed; and they proposed to reach Nottingham early in the morning of the 10th of June, and to surprise the military in their barracks; hoping thus to become masters of the town, and to be joined by considerable numbers there, and by a party which they expected would be assembled in Nottingham Forest, and which actually did assemble at that place, as after stated. The disposition to plunder, the resistance they met with, and other circumstances, so delayed their march, that they had not arrived near their place of destination at a late hour in the morning; and the country being alarmed, a military force was assembled to oppose them.

The language used by many persons engaged in this enterprise, and particularly by their leaders, leaves no room to doubt that their objects were the overthrow of the established government and laws; extravagant as those objects were, when compared with the inadequate means which they possessed. In the course of their march, many of their body felt alarmed at the atrocious projects in which they had engaged, which had actually led to a cruel and deliberate murder: they found that their confederates had not arrived to their support, as they had been led to expect; and in the villages through which they passed, a strong indisposition being manifested towards their cause and projects, some of them threw away their pikes, and retired before the military force appeared; and on the first show of that

force the rest dispersed, their leaders attempting in vain to rally them, many were taken prisoners, and many guns and pikes were seized.

This insurrection, of small importance in itself, is a subject of material consideration, as it was manifestly in consequence of measures detailed in the two reports above mentioned, and appears to have been a part of the general rising proposed to take effect on the 9th or 10th of June, as stated in the last of those reports.

At the assizes at Derby, in the month of July following, the grand jury found bills of indictment for high treason against forty-six of the persons charged with having been engaged in this insurrection; and several of those persons having been taken, were arraigned upon the indictment before a special commission issued for that purpose, which sat at Derby in the month of October following. Four of the principal offenders were separately tried and convicted; three of them were executed; and the capital punishment of the fourth was remitted, on condition of transportation. The conviction of these four induced nineteen of the other persons indicted, whose conduct had been deemed in the next degree most criminal, to withdraw their pleas of not guilty, and to plead guilty to the indictment, in hopes of thus avoiding a capital punishment; and the sentence of death on these persons was afterwards remitted on different conditions. Against all the other persons indicted, who were in custody, the law officers of the crown declined producing any evidence, and they were accordingly acquitted. The rest of the persons included in the indictment had fled from justice, and have not yet been taken.

The fact of this actual insurrection first proved to the satisfaction of a most respectable grand jury of the county of Derby, who found the bill,

of indictment, and afterwards proved, in open court, to the satisfaction of the several juries, sworn on the four several trials of the persons convicted; proved also, by the acknowledgment of the same guilt by those who withdrew their pleas of not guilty, and pleaded guilty to the same indictment, and thus submitted themselves to the mercy of the crown, appear to the Committee to have established beyond the possibility of a doubt, the credit due to the information mentioned in the last Report, respecting the plans of more extended insurrection, which had previously been concerted, and respecting the postponement of these plans to the 9th or 10th of June.

But this insurrection in Derbyshire was not the only circumstance occurring since the period described in the last of the two Reports before mentioned, which demonstrates the correctness of the information on which the Committee who made that Report proceeded, in representing such a general rising to have been intended, and to have been postponed; and that Nottingham was the head-quarters upon which a part of the insurgents was to march in the first instance; and that they were expected to be joined there by insurgents from different quarters.

Early in the same night on which the Derbyshire insurgents began their operations, the town of Nottingham was in a state of considerable agitation. It appears from the evidence given upon the trials at Derby, that, during the march of the Derbyshire insurgents towards Nottingham, one of their leaders, afterwards convicted of high treason, was sent forwards on horseback, to obtain intelligence. On his return to the main body of the Derbyshire insurgents, it was pretended that the state of Nottingham was favourable to their designs; the actual state of Nottingham and its neighbourhood appears from the evidence

given on the trials at Derby. In the night of the 9th of June, some persons, stated to be in number about one hundred, had assembled on the race-course, in Nottingham Forest, where the Derbyshire insurgents, according to their original plan, were to have arrived at an early hour on the morning of the 10th, and expected to be joined by such a party. This party was seen about twelve at night; they were drawn up in line, two deep, and a part of them were armed with pikas or poles. They remained assembled on the race ground until past two o'clock in the morning, about which time they dispersed. Some appearances of disturbance in the town of Nottingham early in the night of the 9th, induced the magistrates to send for a military force from the barracks; and order being quickly restored, the military returned to their barracks, and were not again called out until the morning of the 10th, when they were required to assist in dispersing the Derbyshire insurgents, who were then on their march.

Connected with these disturbances in Derbyshire and Nottinghamshire, a disposition to similar conduct was manifested in a part of the West Riding of Yorkshire. On the 6th of June a meeting of delegates was assembled at a place called Thornhill Lees, near Huddersfield; and at this meeting it was understood, that the time to be fixed for a general rising would be announced. The persons assembled at that meeting were surprised by the magistrates, assisted by a military force, and some were taken into custody. This arrest deranged the plans of the disaffected; and the greater part of the districts in that part of Yorkshire, in which a general rising had been proposed, remained quiet. But in the neighbourhood of Huddersfield, in the night of the 8th of June, a considerable body assembled, some with fire-

arms, and others with scythes fixed on poles, and proceeded to various outrages, plundering houses for arms, and firing on the head constable of Huddersfield, and upon a person of the Yeomanry cavalry, who went out of the town to learn their objects. Indictments were preferred both for the felonies and the burglaries at the assizes at York in the month of July. The facts of the outrages there committed appear to have been established by the finding of the jury, by the grand jury; but sufficient evidence was not produced on the trial to bring the crimes home to any individuals.

From the evidence given on the trials at Derby, it appeared that the Derbyshire insurgents had expected a considerable reinforcement from this part of Yorkshire, believing that a general rising would take place at the time to be fixed for that purpose; and it appears, likewise, that in Yorkshire, as well as in all the other districts where these designs were carrying on, great reliance has uniformly been placed upon the hope of powerful support and co-operation from London, however erroneous such an expectation may have been, with respect to the extent to which it was supposed to have existed.

The Committee have the satisfaction of delivering it as their decided opinion, that not only in the country in general, but in those districts where the designs of the disaffected were most actively and antenuitantly pursued, the great body of the people have remained untainted, even during the periods of the greatest internal difficulty and distress.

The arrests and trials which have taken place, and the development of the designs of the leaders of the disaffected, together with the continued activity and vigilance of the magistrates and of the government, must have had the salutary effect of check-

ing the progress of disaffection, where it existed; and the improved state of the country, and the increased employment now afforded to the labouring classes, have contributed to render those who were most open to seduction, less disposed to embrace the desperate measures which the pressure of distress might have led them to hazard.

Some of the persons engaged in these projects, particularly in London, are still active, and appear determined to persevere, though with decreasing numbers and resources. It appears, therefore, to the Committee, that the continued vigilance of government, and of the magistrates in the several districts, which have been most disturbed, will be necessary.

Having thus taken a view of the state of the country in the disturbed districts, from the period described in the Report made to the House towards the close of the last session of Parliament, the Committee have proceeded to examine such of the papers referred to them, as relate to the arrests of several persons under warrants issued by one of his Majesty's Principal Secretaries of State, and the detention of several of the persons so arrested under the authority of two acts passed in the last session of Parliament, to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.

With respect to those against whom bills of indictment were found by different Grand Juries, and those who have been brought to trial or have fled from justice, the Committee conceive that it is unnecessary for them to make any particular statement. Warrants were issued by the Secretary of State against ten persons, who have not been taken, forty-four persons appear to have been arrested under warrants of the Secretary of State, on

suspicion of high treason, who have not been brought to trial; of these, seven were discharged on examination, without any subsequent warrant of detention. Against thirty-seven, warrants of detention, on suspicion of high treason, were issued by the Secretary of State: but one, who was finally committed, was soon after released; another was soon discharged on account of illness; and a third died in prison. The grounds upon which those warrants were issued, have been severally examined by the Committee; on that examination it has appeared to the Committee, that all these arrests and detentions have been fully justified by the various circumstances under which they have taken place; and in no case does any warrant of detention appear to have been issued, except in consequence of information upon oath.

It appears to the Committee, that all the persons who were so arrested and detained, and who were not prosecuted, have been at different times discharged, as the state of the country, and the circumstances attending the several trials which had taken place, were judged to permit.

The Committee understand, that, up to a certain period, expectations were entertained of being able to bring to trial a large proportion of the persons so arrested and detained; but that these expectations have, from time to time, been unavoidably relinquished.

On the whole, therefore, it has appeared to the Committee, that the government, in the execution of the powers vested in it, by the two acts before mentioned, has acted with due discretion and moderation; and as far as appears to the Committee, the magistrates in the several disturbed districts have, by their activity and vigilance, contributed materially to the preservation of the public peace.

## REPORT

*From the Select Committee on the Education of the Lower Orders.*

Your Committee rejoice in being able to state, that since their first appointment in 1816, when they examined the state of the metropolis, there is every reason to believe that the exertions of charitable individuals and public bodies have increased, notwithstanding the severe pressure of the times; and that a great augmentation has taken place in the means provided for the instruction of the poor in that quarter. They are happy in being able to add, that the discussion excited by the first Report, and the arguments urged in the Committee to various patrons of the charities who were examined as witnesses, have had the salutary effect of improving the administration of those institutions, and inculcating the importance of rather bestowing their funds in merely educating a larger number, than in giving both instruction and other assistance to a more confined number of children. As the management of those excellent establishments is necessarily placed beyond the control of the legislature, it is only by the effects of such candid discussions that improvements in them can be effected.

Since the inquiries of your Committee have been extended to the whole island, they have had reason to conclude, that the means of educating the poor are steadily increasing in all considerable towns, as well as in the metropolis. A circular letter has been addressed to all the clergy in England, Scotland, and Wales, requiring answers to queries, of which a copy will be found in the Appendix. It is impossible to bestow too much commendation upon the alacrity shewn by those reverend persons in complying with this requisition; and the honest

zeal which they displayed to promote the great object of universal education is truly worthy of the pastors of the people, and the teachers of that gospel which was preached to the poor.

Your Committee have lost no time in directing and superintending the work of digesting the valuable information contained in the returns, according to a convenient plan, which will put the House in possession of all this information in a tabular form. They have received assistance in this, and the other objects of their inquiry, from two learned barristers, Mr Parry and Mr Kee, of the Court of Chancery, who have devoted much of their time to the subject.

It appears clearly from the returns, as well as from other sources, that a very great deficiency exists in the means of educating the poor, wherever the population is thin, and scattered over country districts. The efforts of individuals combined in societies are almost wholly confined to populous places.

Another point to which it is material to direct the attention of Parliament, regards the two opposite principles, of founding schools for children of all sorts, and for those only who belonged to the established church. Where the means exist of erecting two schools, one upon each principle, education is not checked by the exclusive plan being adopted in one of them, because the other may comprehend the children of sectaries. In places where only one school can be supported, it is manifest that any regulations which exclude dissenters, deprive the poor of that body of all means of education.

Your Committee, however, have the greatest satisfaction in observing, that in many schools where the national system is adopted, an increasing degree of liberality prevails, and that the church catechism is only taught, and attendance at the established place of public worship only required, of those

whose parents belong to the establishment; due assurance being obtained that the children of sectaries shall learn the principles and attend the ordinances of religion, according to the doctrines and forms to which their families are attached.

It is with equal pleasure that your Committee have found reason to conclude, that the Roman Catholic poor are anxious to avail themselves of those Protestant schools established in their neighbourhood, in which no catechism is taught; and they indulge a hope that the clergy of that persuasion may offer no discouragement to their attendance, more especially as they appear, in one instance, to have contributed to the support of schools, provided that no catechism was taught, and no religious observances exacted. It is contrary to the doctrine, as well as the discipline, of the Romish Church, to allow any Protestant to interfere with those matters, and consequently it is impossible for Romanists to send their children to any school where they form part of the plan.

Your Committee are happy in being able to state, that in all the returns, and in all the other information laid before them, there is the most unquestionable evidence, that the anxiety of the poor for education continues not only unabated, but daily increasing; that it extends to every part of the country, and is to be found equally prevalent in those smaller towns and country districts, where no means of gratifying it are provided by the charitable efforts of the richer classes.

In humbly suggesting what is fit to be done for promoting universal education, your Committee do not hesitate to state, that two different plans are advisable, adapted to the opposite circumstances of the town and country districts. Wherever the efforts of individuals can support the requisite number of schools, it would be unnecessary and injurious to interpose any



parliamentary assistance. But your Committee have clearly ascertained, that in many places private subscriptions could be raised to meet the yearly expences of a school, while the original cost of the undertaking, occasioned chiefly by the erection and purchase of the school-house, prevents it from being attempted.

Your Committee conceive, that a sum of money might be well employed in supplying this first want, leaving the charity of individuals to furnish the annual provisions requisite for continuing the school, and possibly for repaying the advance.

Whether the money should be vested in commissioners, empowered to make the fit terms with the private parties desirous of establishing schools, or whether a certain sum should be intrusted to the two great institutions in London for promoting education, your Committee must leave to be determined by the wisdom of Parliament.

In the numerous districts where no aid from private exertions can be expected, and where the poor are manifestly without adequate means of instruction, your Committee are persuaded, that nothing can supply the deficiency but the adoption, under certain material modifications, of the parish school system, so usefully established in the northern part of the island, ever since the latter part of the seventeenth century, and upon which many important details will be found in the appendix.

The modifications will be dictated principally by the necessity of attending to the distinction already pointed out, between districts where private charity may be expected to furnish the means of education, and those where no such resource can be looked to; and the tables subjoined to this Report will afford important lights on this subject. It appears farther to your Committee, that it may be fair and expedient to assist the parishes, where no

school-houses are erected, with the means of providing them, so as only to throw upon the inhabitants the burden of paying the schoolmaster's salary, which ought certainly not to exceed £.24 a-year. It appears to your Committee, that a sufficient supply of school-masters may be procured for this sum, allowing them the benefits of taking scholars who can afford to pay, and permitting them, of course, to occupy their spare hours in other pursuits. The expense attending this invaluable system in Scotland is found to be so very trifling, that it is never made the subject of complaint by any of the landholders.

Your Committee forbear to inquire minutely in what manner this system ought to be connected with the church establishment. That such a connection ought to be formed appears manifest; it is dictated by a regard to the prosperity and stability of both systems, and in Scotland the two are mutually connected together. But a difficulty arises in England which is now to be found there. The great body of the dissenters from the Scottish Church differ little, if at all, in doctrine from the establishment; they are separated only by certain opinions of a political rather than a religious nature, respecting the right of patronage, and by some shades of distinction as to church discipline; so that they may conscientiously send their children to parish schools connected with the establishment, and teaching its catechism. In England the case is widely different; and it appears to your Committee essentially necessary, that this circumstance be carefully considered in devising the arrangements of the system. To place the choice of the schoolmaster in the parish vestry, subject to the approbation of the parson, and the visitation of the diocesan; but to provide that the children of sectarians shall not be compelled to learn any catechism, or attend any church, other

than those of their parents, seems to your Committee the safest path by which the Legislature can hope to obtain the desirable objects of security to the establishment on the one hand, and justice to the dissenters on the other.

The more extended inquiries of your Committee this session have amply confirmed the opinion which a more limited investigation had led them to form two years ago, upon the neglect and abuse of charitable funds connected with education. They must refer to the appendix and the tables, for the very important details of this branch of the subject; but they must add, that although in many cases those large funds appear to have been misapplied through ignorance, or mismanaged through carelessness, yet that some instances of abuse have presented themselves, of such a nature as would have led them to recommend at an early period of the Session the institution of proceedings, for more promptly checking misappropriations, both in the particular cases, and by the force of a salutary example. From the investigations of the commission about to be issued under the authority of an act of Parliament, much advantage may be expected; and though it would not become your Committee to anticipate the measures which the wisdom of the Legislature may adopt in consequence of those inquiries, with a view to provide a speedy and cheaper remedy for the evil, than the ordinary tribunals of the country afford, yet your Committee cannot avoid hoping, that the mere report and publication of the existing abuses, will have a material effect in leading the parties concerned to correct them; and that even the apprehension of the inquiry, about to be instituted, may, in the meantime, produce a similar effect.

As the universities, public schools, and charities, with special visitors, are exempted from the jurisdiction of the

commissioners, your Committee have been occupied in examining several of those institutions. The result of their inquiries will be found in the appendix. It unquestionably shews, that considerable unauthorized deviations have been made, in both Eton and Winchester, from the original plans of the founders; that those deviations have been dictated more by a regard to the interests of the fellows than of the scholars, who were the main object of the foundations, and of the founder's bounty; and that although in some respects they have proved beneficial upon the whole to the institutions, yet that they have been, by gradual encroachments in former times, carried too far. While, therefore, your Committee readily acquit the present fellows of all blame in this respect, they entertain a confident expectation that they will seize the opportunity afforded by the inquiry, of doing themselves honour by correcting the abuses that have crept in, as far as the real interests of the establishments may appear to require it. If, too, there should exist similar errors in the universities, which have not been examined, your Committee willingly flatter themselves, that steps will be taken to correct them, by the wisdom and integrity of the highly respectable persons to whose hands the concerns of those great bodies are committed.

Your Committee are fully persuaded, that many great neglects and abuses exist in charities, which have special visitors; indeed it so happens, that the worst instance which they have met with belongs to this class, and that no visitatorial power was exercised until a few months ago, although the malversations had existed for many years. To this subject they therefore beg leave to request the speedy attention of Parliament.

It farther appears to your Committee, that as the commission about to be issued will be confined to the investiga-

tion of abuses, and as the information in the parochial returns is not sufficiently detailed respecting the state of education generally, a commission should also be issued, either under an act of Parliament, or by means of an address to the Crown, for the purpose of supplying this defect.

In the course of their inquiries, your Committee have incidentally observed, that charitable funds, connected with education, are not alone liable to great abuses. Equal negligence and malversation appears to have prevailed in all other charities; and although your Committee have no authority, by their instruction, to investigate the matter, and to report upon it, yet they should deem themselves wanting in their duty, were they not to give this notice of so important a subject, accidentally forced upon their attention.

## REPORT

### *From the Select Committee of the Poor Laws.*

THE Committee appointed by the House in the last Session of Parliament, having in their Report presented to the House such a comparative view of the assessments for the relief of the poor at different periods, as the materials which they then possessed enabled them to form, are now to make some important additions and corrections to such statement. For they have been furnished with some returns, made in pursuance of the orders of the House, of the assessments in the years 1748, 1740, and 1750, which were not known to exist, till they were discovered by the researches of Mr Speaker into the records of the House during the recess. And though those accounts, from all the counties except four; appear to have been more or less deficient, yet it will be found, by a reference to

the Appendix, that such deficiencies have been supplied by the assiduity of Mr Rickman, one of the clerks assistant, in a way that will probably be thought to render them sufficiently accurate for the purpose of comparison with those of subsequent years. Nor is this the only advantage to be derived from those documents; for it has suggested a more summary method of obtaining similar information, if it should be required by the House, through the prompt and effectual means of the Post-office.

The House have now also, at length, in their possession, the returns made under the Act 55 Geo. III. of the assessments for the years ending 25th March 1813, 1814, and 1815, embracing an abundant and valuable mass of information. From these it will appear, that the abstract of the assessment for the year ending 25th March 1815, which was returned to the Committee in the last session, and printed in the Appendix to their Report, was materially incorrect, in consequence of mistakes made in preparing it, and deficiencies existing at that time in the returns, which were wholly unnoticed. The whole sum raised by assessment in that year was stated to amount to 7,068,999*l.*; whereas it was really 7,457,675*l.*; the sum expended on the poor was stated to be 5,072,028*l.* instead of 5,418,845*l.*

The result of the whole of these additions and corrections, will afford the following comparative view of the sums raised by assessment, and the sums expended on the poor at the different periods to which those authentic documents relate:—

	Total raised	Total expended on poor
Aver. 1748, 49, 50, 1, 730, 135	1,688,971	
Year 1776	1,720,316	1,630,804
Aver. 1783, 84, 85, 2, 167, 748	2,504,237	
Year 1803	5,348,204	4,207,000
Aver. 1813, 14, 15, 8, 164, 496	6,129,814	

Your Committee have placed in the Appendix a summary of these latter returns; but to the voluminous details

contained in these returns, they feel it unnecessary to refer, except to express their apprehension, that the 8th column, which states the number of persons relieved from the poor rate permanently, not including the children of such persons, must be, in a considerable degree, calculated to lead to an erroneous conclusion, from the prevalence of the practice of affording relief nominally to parents, though it be really on account of their children.

Your Committee, upon their appointment in this session, proceeded to consider which of their former suggestions it might be expedient to submit to the House; for the adoption of Parliament, without further delay. No time has been lost in putting such measures into the form of legislative enactments, and they have instructed their chairman to move for leave to bring in a bill or bills, on those suggestions (in the first instance) which, as far as they can judge, are most generally approved, and tend to amend the administration of the existing laws; while they are proceeding to reconsider other parts of the subject, in which more doubt and difficulty may naturally be expected to rise.

The Appendix gives the assessment for the relief of the poor in 1748, 1749, and 1750, by which it appears, that on the average of these three years about 693,000*l.* per annum was applied to the relief of the poor; in the year 1776, the sum of 1,531,000*l.* was expended on account of the poor; in 1789, 4, and 5, the sum of 2,000,000*l.* per annum; in 1803, 4, 268,000*l.*; and in 1812, 14, and 15, the average sum of about 6,190,000*l.* per annum was expended for the maintenance of the poor. But the sums raised by poor's rates, and any other rate or rates in these years, was, in 1812, 8,651,438*l.*; in 1814, 3,392,728*l.*; in 1815, 7,460,855*l.* The number

of paupers relieved in 1813, was 971,913; in 1814, 958,993; in 1815, 885,973.

The Appendix closes with some important

#### OBSERVATIONS.

2. The number of persons relieved permanently, both in and out of any workhouse, on the average of the last three years, appears to be 516,008; ditto, occasionally, being parishioners, 423,663; total, 940,620, exclusive of any children of those permanently relieved out of the house.

3. Four thousand and ninety-four parishes or places maintain the greater part of their poor in the workhouses, averaging, for the last three years, 89,142 persons.

4. The population of England and Wales, as taken from the abstract laid before parliament in the year 1811, appears to have been 10,150,615; so that the number of persons relieved from the poor's rates appear to have been 9*1*/<sub>2</sub> in each 100 of the population.

5. The total of the money raised by poor rates, or other rates, appears to have averaged, for the last three years, the sum of 8,168,340*l.* 13*s.* 9*d.* being at the rate of 16*s.* 1*d.* per head on the population, or 3*s.* 1*1*/<sub>2</sub>*d.* in the pound, of the total amount of the sum of 51,808,423*l.* 12*s.* 6*1*/<sub>2</sub>*d.* as assessed on the property-tax in the year 1815.

7. The amount of money expended in suits of law, removals, and expenses of parish officers, for militia purposes, and for all other purposes, is independent of the maintenance of the poor, 2,162,799*l.*

8. The number of persons belonging to friendly societies appears to be, for the last three years, nearly 8*1*/<sub>2</sub> in the 100 of the resident population.

9. The area of England and Wales, according to the latest authorities, appears to be 57,960 square statute miles, or 37,094,400 statute acres; wherefore, the number of inhabitants in each

square mile containing 640 acres, averages 175 persons.

10. The greater proportion of the population of England and Wales appears to be employed in trade and manufactures, there being 770,199 families returned employed in agriculture, and 959,632, in trade, manufactures, and handicraft; besides 413,316 other families.

## REPORT

*From the Select Committee on the State of Contagious Fever.*

Your Committee having summoned before them physicians from the principal hospitals in the metropolis, proceeded in the first place to inquire into the progress and extent of that contagious fever which during the last 12 months has been so prevalent. In order to obtain correct information upon this subject, they called for a return of the number of patients who have been admitted into a fever hospital constructed in Pancras-road, and entitled a "House of Recovery." This establishment had its origin in the year 1802, a period of great sickness among the poorer classes of society, it having been preceded by a scarcity of food for two years. In the year 1803, 164 patients, and in that of 1804, 185 were admitted into this hospital. The return inserted in the evidence of Dr Bateman, physician to the Institution for the last 15 years, shews that the minimum of sickness was in 1810, when 30 patients only were admitted; and that the average of the three years preceding 1817, when the present epidemic may be considered to have commenced, was somewhat more than 76 per annum; in the year 1817, 126; and from April in that year to same period in 1818, no less than 797 persons were patients in this Infirmary.

Your Committee then proceeded to inquire as to the prevalence of this contagious fever in the different hospitals of the metropolis.

Dr Marcet, who is one of the physicians at Guy's, informed them that in the year 1817 about 50 patients were admitted with cases of fever, and in that ending April 1818, 253.

In the London Hospital, Dr Yelloly states, that the average number of fever-patients may be taken at about 30 for the last five years; that in 1817, 97 cases were admitted; and in the first three months of this year, no less than 35.

Your Committee have no regular return from St Thomas's; but Dr Currey, physician to that hospital, says, that the number of fever-cases was considerably greater than in the preceding years.

At St Bartholomew's, the increase is also stated to be great; but your Committee have no return of the numbers; for Dr Roberts informed them that no register is kept in the hospital to distinguish the different varieties of disease.

At St George's, the same statement is made by Dr Young; and there also no register is kept.

In the Westminster Hospital, Dr Tuthill informed your Committee, that the ordinary average of fever-cases may be taken at 25; while, from Lady-day 1817 to 1818, 38 patients labouring under this disease have been admitted.

In the Middlesex Hospital, the average number of contagious-fever cases is about 60 per annum; and last year the number amounted to 120.

Your Committee having thus ascertained the alarming increase of contagious fevers in the hospitals of the metropolis, proceeded to examine the physicians of some of the principal dispensaries.

Dr Laid, physician at the Public Dispensary of Carey-street, informed them, that in the year 1815, 84 cases of fever were entered in their books; in 1816, 76 cases; and in 1817, 147; and in the four months of the present year, 59 cases of fever have been so registered.

Dr Clutterbuck also states, that for many years past not above 12 cases of typhus have been admitted on their books; but, in the last year, there have been above 200.

Your Committee thought fit to transmit a series of questions to the different physicians belonging to some of the dispensaries of London, and to the answers of which they beg leave to refer. Dr Davies, physician to the London Dispensary, averages the number of cases of fever in the establishment to which he belongs, for a period of eight years, to be about 100 annually; while in the last year they amounted to 309. In the Finsbury Dispensary, the mean number of fever-cases is 66; but from the 1st of May, 1817, to the same day, 1818, 168 cases were registered. Mr Burgess, apothecary to St Luke's Work-house, stated, that he attends, on an average of common years, about 150 cases of fever; in the last year the number rose to 600.

Dr Lincoln states, that his parochial patients have increased from the ordinary average of 48 and 50, to 250 and 300.

Your Committee, having thus been informed of the extent of this epidemic, and the severity with which it has fallen on the poorer classes of society, proceeded to inquire into the nature and extent of the means afforded, in the way of medical relief, to those afflicted with this calamity.

The benevolence of some individuals, aided by a considerable grant of money on the part of the public, has constructed a Fever Infirmary, called

"The House of Recovery," which is capable of containing about 69 patients.

This establishment has risen to its extent and consequence by slow degrees; it began in a small house in Gray's-Inn-lane, which was capable of containing only a very limited number of patients; and its augmented size is a convincing proof of its acknowledged value, no less than its being necessary to the increasing wants of the metropolis. It is supported by voluntary contributions, the amount of which may be taken at 450*l.* per annum. This institution possesses besides, a fund of 2000*l.* in Exchequer Bills, 268*z.* in the 3 per cent consols; the annual income bring thus somewhat above 540*l.* per annum. The expences of the three years preceding 1816 amounted annually to 579*l.* while those of the year ending April, 1818, reached the enormous sum of 1700*l.*; to meet this increase of expenditure above income, the generosity of the public was appealed to, and the sum taken as part of the capital stock of the Hospital, and which is now held in Exchequer Bills, was subscribed at a public meeting, summoned for that purpose; to this fund must be added a further grant of 1000*l.* which has recently been made by the Treasurer to this Hospital.

Your Committee have learned, with great satisfaction, the nature of the excellent arrangements which have been adopted in this institution. The zeal and assiduity of its medical attendants entitle them to the praise and gratitude of all who can estimate the fortitude, the risk, and the active benevolence which characterize the profession to which they belong. But the objects of this institution are not limited to attendance on the sick, and to the removing persons from the sphere of contagion; a portion of its funds is expended in cleansing the apartments

of the poor, who, crowded in close courts and unventilated rooms, are assailed by fever; this practice is peculiar to this establishment, and in the last year no fewer than 151 rooms were thus whitewashed. Your Committee refer generally to the evidence of Dr Bateman, to establish the necessity of a speedy removal of the poor from their own dwellings when attacked with contagious fever, as well as to demonstrate the benefits derived in the last year, by the existence of this institution, when, from the crowded state of the hospitals, and their known unwillingness to receive fever cases at all, the greatest danger would have been incurred, of the spreading into a larger focus the sphere of this contagious disorder. In one house, the disease continued seventeen weeks—part of the family were attacked with it three different times—and it was only arrested by the destruction of all the furniture in the apartment. Thus, it may be said, the sufferers became diseased through their own contagion; and your Committee cannot contemplate, without serious apprehension, what might have been the result of this epidemic daily gaining strength, if it had not been checked in its malignant growth by the efforts of the Fever Institution. Your Committee wish also to remark, that this establishment is open to all applicants, at all days and hours. A medical certificate of disease is stated to be required; but the practice is to admit all who are attacked by the complaint upon the first application; and the only impediment thrown in the way has been one which it is the aim of your Committee to remove—a want of sufficient room for the admission of patients.

Your Committee wish to observe, that a more salutary system is adopted here, viz. the transport of the patients in a litter belonging to the establishment, thereby preventing the use of

coaches or sedan chairs; one of the means by which the contagion is circulated is thus checked, and they hope the other hospitals will see the necessity of adopting some such arrangement. Indeed, from the indifference to contagion which seems to exist in some of these establishments, it is a matter of surprise to your Committee that more fatal results do not occur.

Your Committee have learned with great pain, that in all the hospitals of London a great proportion of patients are weekly refused admission, in most of them for want of room; in one of them (the Middlesex Hospital) from a deficiency of funds. Any plan, therefore, that would lighten the burthen which would now lay down these establishments, would, to the minds of your Committee, be of great public usefulness. But if the entire removal of cases of fever from all the hospitals may be considered injurious, to them as schools of medicine, the diminution of the number of such admissions might ease the finances of some establishments, and leave room in others for patients suffering under diseases of a different character. Your Committee have been informed, that it is the practice in all the hospitals to mix cases of contagious fever indiscriminately with other patients; it has, however, been stated to them by some medical authorities, that, practically speaking, no evil has arisen from their intermixture; but with due deference to such opinions, the acknowledged fact, that in some hospitals the fever has been generated; that patients admitted under one disease have caught in the hospital another; that the medical practitioners and attendants have been attacked themselves by the disease; and that most fatal effects have been therefrom produced; all these facts fully satisfy your Committee that the practice above alluded to, if not altogether abandoned, ought to be resort-

ed with great precaution, and in a most limited extent. As long as fever cases can be diluted through a large ward, with proper attention to ventilation, scarcely any danger of contagion may arise; but in a period of epidemic, such as existed in the late and present year, when all the hospitals were crowded with patients assailed by the prevailing disease of fever, great hazard must be run, and the experience of this year has demonstrated the danger and evil of the system. As the great preservative against contagion is a free circulation of air, patients labouring under chronic disorders cannot with propriety be subjected to the same treatment; and a system of medical policy, which is essential in one case to prevent the spreading of the disease, becomes highly prejudicial in the other. Besides, a great prejudice prevails; and your Committee cannot consider it as unfounded, among the poorer classes of society, who are the main objects of these establishments, against either entering themselves, or sending their relations into these hospitals, on account of the hazard of infection to which they are exposed; the events of the last year are certainly not calculated to weaken these opinions. And your Committee feel assured, that to diminish the number of fever cases in every hospital, by increasing the powers of receiving them in institutions exclusively set apart for that disease, would not only do away the impression on the public mind above alluded to, but contribute most materially to the relief and good arrangements of those hospitals, the wards of which are now exposed to be indiscriminately filled with patients labouring under diseases in all their different stages of suffering and malignity.

Your Committee refrain from entering more into detail on these subjects; they refer generally to the evi-

dence, which to their minds is conclusive. That evidence has demonstrated the extent of the epidemic, the probable chance of its continuance, as well as of its occasional recurrence, the small means afforded by the hospital to receive patients assailed by it, the great hazard of mixing them with those who labour under diseases of a different nature, the utility of the fever institution, both for the cure of the disorder, and for arresting the progress of contagion; all these facts, so made out, have satisfied your Committee, that it would be highly expedient to extend the public aid to this establishment. And as they see no reason why the capital stock of the hospital should not be augmented, they should propose a further grant of 2000*l.*, which, with the 1000*l.* already made, will enable the institution to increase its means of accommodation to 100 patients. Taking a fair average of the fever cases in the metropolis, this establishment will thus be enabled to receive a great proportion of the patients who are now sent to other hospitals; and probably, in ordinary times, nearly the whole of the fevers of the metropolis.

Your Committee feel assured, that in case the fever should continue its ravages undiminished, and the same burden which lay so heavy on the finances of this institution in the last year, should exist during the present, Parliament would consent to provide some additional support; but, at present, they consider the sum above-mentioned as sufficient, and they rely with confidence on the munificence and charity of the public to promote the ordinary annual funds for the support of an institution so well deserving the countenance of all ranks of society. Your Committee have fully satisfied themselves, that the most beneficial effects have resulted from hospitals exclusively set apart for cases of fever. They refer generally to the accounts.



to shew the small income of this admirable institution, as well as the increasing demands on it; and though the benevolence of the public has done much to raise the establishment to its useful pre-eminence, yet farther aid is still wanted; and your Committee wish to recommend his Majesty's Government to reconsider the grant they have already made.

Your Committee, in recommending this grant of money, are aware of the general impolicy of supporting public hospitals by advances of public money; but the peculiar state of this establishment, its nature and character, the pressure of its funds, which require immediate and large additions to them; and, above all, the diseased state of the metropolis in respect of fever, and the probability of its malignity being increased towards the autumn; all these reasons satisfy your Committee, that a departure from the general principle may in this case be adopted.

From the experience derived from the establishments at Chester, Manchester, and Waterford, according to a report which has been laid before them, it appears that not only no hazard of spreading infection has been incurred, but, in point of fact, the number of contagious diseases has been greatly diminished, not only in towns, but in the very district and neighbourhood where houses of recovery have been situated. Dr Roget, late physician to the Manchester Infirmary, informed your Committee, that at Manchester no medical officer or attendant in the hospital has been afflicted with the fever generated within its walls; and that in the town itself the number of cases of that disease has diminished to a less degree than the ordinary average prior to the establishment of this institution. Dr Holme, physician to the infirmary, from its establishment to the present period, confirms this statement to its full extent.

Your Committee cannot close this report without expressing a regret that any hospital in the metropolis should not possess a register of diseases; they trust this omission will speedily be rectified. And, in their opinion, it would be adviseable to register, not only the diseases, but also the name and profession of the patient. It must at all times be a matter of useful knowledge to be able to learn the quality and extent of the different diseases that prevail at different periods; and your Committee have felt the want of that information, arising out of this strange irregularity, in not being able to ascertain the average fever cases that have occurred for some years past in the metropolis.

## REPORT

*Of the Select Committee on the Copyright Acts, with abridged Minutes of Evidence.*

The earliest foundation for a claim from any public library, to the gratuitous delivery of new publications, is to be found in a deed of the year 1610, by which the Company of Stationers of London, at the request of Sir Thomas Bodley, engages to deliver a copy of every book printed in the company (and not having been before printed,) to the University of Oxford. This, however, seems to be confined to the publications of the Company in its corporate capacity, and could in no case extend to those which might proceed from individuals unconnected with it.

Soon after the Restoration in the year 1662, was passed, the "Act for preventing abuses in printing seditious, treasonable, and unlicensed books and pamphlets, and for regulating of printing and printing presses;" by which, for the first time, it was enacted, That every printer should respect three copies of the best and largest paper of every book new printed, or reprinted

by him with additions, and shall, before any public vending of the said book, bring them to the master of the Company of Stationers, and deliver them to him; one whereof shall be delivered to the keeper of his Majesty's library, and the other two to be sent to the vice-chancellor, of the two universities respectively, to the use of the public libraries of the said universities. This act was originally introduced for two years, but was continued by two acts of the same parliament till 1679, when it expired.\* It was, however, revived in the first year of James the Second, and finally expired in 1695.

It has been stated by Mr Gaisford, one of the curators of the Bodleian Library, "that there are several books entered in its register, as sent from the Stationers' Company subsequent to the expiration of that act;" but it is probable that this delivery was by no means general, as there are no traces of it at Stationers' Hall, and as Hearne, in the preface to the "*Reliquæ Bodleianæ*," printed in 1703, presses for benefactions to that library as peculiarly desirable, "since the act of parliament for sending copies of books, printed by the London booksellers, is expired, and there are divers wanting for several years past."

During this period, the claim of authors and publishers to the perpetual copyright of their publications, rested upon what was afterwards determined to have been the common law, by a majority of nine to three of the judges, on the cases of Millar and Taylor in 1769, and Donaldson and Becket in 1774. Large estates had been vested

in copyrights; these copyrights had been assigned from hand to hand, had been the subject of family settlements,† and in some instances larger prices had been given for the purchase of them, (relation being had to the comparative value of money,) than at any time subsequent to the act of the 8th of Queen Anne. By this act, which, in the last of these two cases, has since been determined to have destroyed the former perpetual copyright, and to have substituted one for a more limited period, but protected by additional penalties on those who should infringe it, it is directed, that nine copies of each book that shall be printed or published, or reprinted and published with additions, shall, by the printer, be delivered to the warehouse-keeper of the Company of Stationers, before such publication made, for the use of the Royal Library, the libraries of the Universities of Oxford and Cambridge, the libraries of the four Universities of Scotland, the library of Sion College in London, and the library belonging to the Faculty of Advocates at Edinburgh.

From the passing of this act until the decision of the cases of Beckford and Hood in 1798, and of the University of Cambridge and Bryer in 1813, it was universally understood, that neither the protection of copyright, nor the obligation to deliver the eleven copies attached to the publication of any book, unless it was registered at Stationers' Hall,‡ an act which was considered as purely optional and unnecessary, where it was intended to abandon the claim for copyright; and, in con-

\* Upon reference to the continuing act of 17 Ch. 2d. c. 4., the clauses respecting the delivering of the three copies appear to be perpetual, yet it should seem that they were not so considered, not being adverted to in the Act of Anne.

† Birch, in his *Life of Archbishop Tillotson*, states, that his widow, after his death in 1695, sold the copyright of his unpublished sermons for 2,500 guineas.

‡ The whole number of entries during the 70 years, from 1710 to 1780, does not equal that which has taken place in the last four years. See Appendix, No. I.

formity to this construction, the act of 41 *Geo.* 3d, expressly entitled the libraries of Trinity College, and the King's Inn, Dublin, to copies of such books only as should be entered at Stationers' Hall.

In *Beckfort v. Hood*, the Court of King's Bench decided, that the omission of the entry only prevented a prosecution for the penalties inflicted by the statutes; but it did not in any degree impede the recovery of a satisfaction for the violation of the copyright. The same Court further determined, in the case of the University of Cambridge against *Bryer*, in 1812, that the eleven copies were equally claimable by the public libraries, where books had not been entered at Stationers' Hall, as where they had.

The burthen of the delivery, which by the latter decision was for the first time established to be obligatory upon publishers, produced in the following year a great variety of petitions to the House of Commons for redress, which were referred to a Committee, whose Report will be found in the appendix; and in 1814 the last act on this subject was passed, which directed the indiscriminate delivery of one large paper copy of every book which should be published (at the time of its being entered at Stationers' Hall) to the British Museum, but limited the claim of the other ten libraries to such books as they should demand in writing) within twelve months after publication; and directed that a copy of the list of books entered at Stationers' Hall should be transmitted to the librarians once in three months, if not required oftener.

It appears, so far as your Committee have been enabled to procure information, that there is no other country in which a demand of this nature is carried to a similar extent. In America, Prussia, Saxony and Bavaria, one copy only is required to be

deposited; in France and Austria two, and in the Netherlands three; but in several of these countries this is not necessary, unless copyright is intended to be claimed.

The Committee having directed a statement to be prepared by one of the witnesses, an experienced bookseller, of the retail price of one copy of every book entered at Stationers' Hall between the 30th July 1814, and the 1st of April, 1817, finds that it amounts in the whole to 141*l.* 3*s.* 11*d.* which will give an average of 532*l.* 4*s.* per annum; but the price of the books received into the Cambridge University Library from July 1814 to June 1817, amounts to 1145*l.* 10*s.* the average of which is 381*l.* 18*s.* 8*d.* per annum.

In the course of the inquiry committed to them, the Committee have proceeded to examine a variety of evidence, which, as it is already laid before the House, they think it unnecessary here to recapitulate; but upon a full consideration of the subject, they have come to the following Resolutions:—

1. "That it is the opinion of this Committee, that it is desirable that so much of the Copyright act as requires the gratuitous delivery of eleven copies should be repealed, except so far as relates to the British Museum, and that it is desirable that a fixed allowance should be granted, in lieu thereof, to such of the other public libraries as may be thought expedient.

2. "That it is the opinion of this Committee, that if it should not be thought expedient by the House to comply with the above recommendation, it is desirable that the number of libraries entitled to claim such delivery should be restricted to the British Museum, and the libraries of Oxford, Cambridge, Edinburgh and Dublin universities.

3. "That it is the opinion of this

Committee, that all books of prints, wherein the letter-press shall not exceed a certain very small proportion to each plate, shall be exempted from delivery, except to the Museum, with an exception of all books of mathematics.

4. "That it is the opinion of this Committee, that all books in respect of which claim to copyright shall be expressly and effectually abandoned, be also exempted.

5. "That it is the opinion of this Committee, that the obligation imposed on printers to retain one copy of each work printed by them, shall cease, and the copy of the Museum be made evidence in lieu of it." 5 June, 1818.

#### EVIDENCE.

Mr Owen Rees, (partner in the house of Messrs Longman and Co.)

Mr Rees stated, that the value of books delivered by them under the act calculated at the mere actual cost, amounted to almost £3000. He gave in a list of the cost of delivering the following books:

Rees's Encyclopædia,	£955 16 0
Danell's Voyage to India,	98 0 0
Danell's Coast Views,	346 10 0
Morte D'Arthur,	96 12 0
Coxe's Duke of Marlborough,	69 6 0

The obligation of delivering the eleven copies had debarred them from publishing several works, particularly one by Baron Humboldt on the Non-descript Plants of America; it would have been with coloured plates, and the impression only 250 copies. There were other books in which this obligation had its weight, though it had not been the sole cause of their rejection. Among important works which had been abandoned for want of sufficient encouragement, Mr Rees mentioned the following:—

Reverend Mr Boucher's Dictionary of Obsolete and Provincial words.

Dr Murray's (the editor of Bruce's Travels) History of Languages.

• Translations of Matthew Paris and other Latin Historians. William of Malmesbury, only published. One more has been translated, but not published.

An extensive British Biography, arranged in periods. A considerable portion of this work has been written by some of the first literary men of the present day.

The collected works of Sir Isaac Newton

Hearne's (the Antiquary) works.

Collections of the Irish Historians.

Bawdwen's Translation of the Doomsday Book, after the translation was finished, and one copy and a half printed.

Mr Rees stated, that all the libraries demanded every book; except two which did not require music and novels. Those which had subscribed for books previously to the act, had discontinued their subscription, and now received them gratis. Mr Fodd made a present of his edition of Johnson's Dictionary, value eleven guineas, to Sion College, yet the same College demanded another copy under the act. Being asked if booksellers and authors had not derived great benefit from the extension of the copyright to Ireland, he answered, that they had done so, in regard to works of moderate price; but expensive works incurred no hazard of being pirated. The only one of the above list which it could have answered to reprint in Ireland, was Coxe's Marlborough.

Among the hardships to which the delivery of the eleven copies subjected them, Mr Rees stated, that, according to printing usage, the press work was charged at an hour, or 250 copies, and if they threw off any smaller number, they were obliged to pay for the whole 250. He had printed impressions of 100 and 150, and paid for them at the

rate of 250. This impression was produced from a half-ream, of 258 sheets, and it caused waste and loss to break in upon a new half-ream. The odd eight sheets, (making sixteen in the ream,) are allowed for proofs and other purposes, and when these are not used, a few extra copies are produced, seldom more than five or six. These customs have existed in the trade as far back as he remembers, and he does not think they could be altered. Rather than deliver the eleven copies, Mr Rees would prefer to give up the extension of copyright from 14 to 28 years. Of 76 authors, whose books he published in the year 1803, only twelve have died, and he does not believe that one of their copyrights is at present of any value whatever. Not one copyright in 50, after 27 years, would retain any value.

The house of Longman and Company have paid for advertisements in one year, 46*l.* 7*s.* 8*d.*, upwards of a third of which goes to Government. The trade was lately in a declining state, but is now reviving.

Mr Richard Taylor, (printer, and secretary to the Linnean Society.)

Mr Taylor is much employed in printing works on natural history, in which he conceives the delivery of the eleven copies a great hardship. Mr Hooker, a botanist of great eminence, has published several very expensive works on *cryptogamous* plants, which have gained him a very high reputation; but no bookseller would take the risk of them, and he has been obliged to publish them himself, and has lost considerably; of one of them, "On Exotic Mosses," there have not been sold more than 34 copies. In such a case, the delivery of eleven copies, and the want, perhaps, of eleven purchasers, is a very severe loss. Many similar works have been given up, on account of the expence and limited sale; and he often heard the delivery

of the eleven copies mentioned as a great cause of discouragement. The works most useful to science are of limited sale. A popular treatise on astronomy might sell; but such works as Bradley's *Observations*, in two volumes folio, and Maskelyne's, in four volumes folio, which contained the substance of these great men's observations during a large portion of their lives, could not have been published at private expence without loss. Baron Mascard's *Scriptores Logarithmici*, a most useful collection, had never paid the expence of binding the presentation copies. It was to the public libraries that they looked as the purchasers of such works. He had often wished to undertake a *Corpus Scriptorum Rerum Anglicarum*, but the great expence, and the limited sale, which could not exceed 200 copies, had deterred him. Being asked whether it would be possible to publish such works as Grævius and Gronovius, 40 volumes folio; the Byzantine Historians, 40 volumes folio; Ugonio's *Thesaurus Antiquitatum Sacrarum*, 34 volumes folio; Muratori's Italian Historians; the Benedictine French Historians; Du Cange's works; or *l'Art de vérifier les Dates*; he answered, "It would be ruin to any individual to publish these works." He was not prepared to say that any of them could be reprinted, even if the claim of eleven copies were given up. He did not consider the depositing of these copies in the public libraries as any material advantage in regard to advertising. If an author wished to advertise a work on natural history, he would send it to Sir Joseph Banks's library, or that of the Linnean Society, not to that of the Faculty of Advocates, Edinburgh, or of Stion College, London. Seven shillings paid for an advertisement in the *Times*, would be of more value than giving away the whole impression to such libraries.

Mr William Daniell, (artist.)

Mr Daniell had been obliged to give up several extensive embellished works by the claim of eleven copies. It stopped the continuation of a large folio work, entitled *Oriental Scenery*. It prevented an African work, one on Ceylon, and one on the Customs of India. The only works in which he was at present engaged were, "the Coast of Great Britain," on which the eleven copies amounted to 77 guineas, and a reduced edition of the *Oriental Scenery*, on which they amounted to 218*l*. The colouring of each of these plates cost him both personal trouble and large payments to others. He might deliver them uncoloured, but in that state they would not be creditable to an artist; the engraving was merely a preparation for receiving the colour. The claim was made in consequence of there being two or three pages at letter-press to explain each plate, without which it would not have sold.

Mr W. B. Cooke, (engraver)

Mr Cooke was employed on two extensive works of engravings, one, "the Ruins of Pompeii," and the other "the Southern Coast of England, from drawings by Turner." Eleven copies of the one would amount, at the sale price, to 201*l*. 12*s*.; of the other, to 134*l*. The actual cost would not be quite half of these sums. The plates from some of Turner's highly-finished drawings would be materially injured by taking off eleven copies. He might evade the act by engraving the descriptions on copper-plate; but it would look so ill, that he would rather not undertake the work at all.

Mr Joseph Harding, (bookseller, of the house of Lockington and Company.)

This house is engaged in the following expensive works, eleven copies of each of which, at the selling price,

will amount to the sums annexed to them.

Dugdale's Monasticon Anglicanum, four or five folio volumes, . . .	L. 819	0	0
Dugdale's History of St Paul's Cathedral, . . .	189	0	0
Portraits of Illustrious Personages of Great Britain, 2 folio volumes, . . .	630	0	0
Ormerod's History of Cheshire, . . .	283	10	0
Wood's Athenæ Oxoniensium, 6 folio volumes, . . .	277	4	0
	L. 2198	14	0

In reprinting Mr Ruding's *History of the Coinage*, they had been obliged to stipulate, that no additions should be made, in order to evade the demand of the libraries. The act had done much to discourage the reprint of works in old English literature. It had made them losers by the reprint of the *Mirror for Magistrates*, in three vols. 4to. They had been obliged to deliver to the British Museum a copy of Dugdale's *Monasticon*, which they could have sold for 136*l*. 10*s*. In the course of his examination, Mr Harding gave the following comparative view of the price of books, as printed in the same style, in France and in England:

	Fr. Price.	Eng. Price.
	L. s. d.	L. s. d.
Gibbon's Miscellaneous Works	1 1 0	2 5 0
Hume's England	1 18 0	3 12 0
Robertson's Scotland	0 10 0	1 1 0
Roscoe's Lorenzo de Medici	0 13 4	1 11 6
Warton's Pope	1 1 0	5 5 0
Johnson and Stevens's Shakespeare	2 10 0	12 12 0

The house had been deterred by the act from reprinting Alexander Barclay's "Ship of Fools," of which they could not have sold more than 100 copies, at 12 guineas each. For the same reason he had declined Cotman's *Architectural Antiquities of Normandy*,

a work which would have been very useful to architects.

Mr John Martin, (bookseller, of the house of Rodwell and Martin.)

This house was engaged in the publication of Dodwell's Scenes and Monuments of Greece, the delivery of which to the libraries would, at the sale price, be 830 guineas; at the trade price, 775*l.*; while the lowest cost, exclusive of engraving, would be 144*l.* Mr Dodwell had received proposals from the French government to publish this work in four folio volumes, each containing 100 plates. These, it would have been for his advantage to accept, but he wished to have them published in this country.

Mr John Clarke, (law-bookseller.)

The impression of law-books being small, Mr Clarke was sometimes deterred from publishing them, by the delivery of the 11 copies. There were also several works, in reprinting which he had been obliged, on this account, to stipulate that there should be no notes or additions, by which these works had been rendered less valuable. In printing Hastell's Parliamentary Precedents, he had calculated, if the whole sold, on a profit of 52*l.* 6*s.* 8*d.*; but the libraries having got the value of 44*l.* 11*s.* 8*d.*, there was left to him only the profit of 7*l.* 12*s.* Being asked if there had ever been such a number of law-books as at present, he answered, that he did not think there was such a vast number now as at some former periods. Being then asked if the number was not felt by the profession as an immense load, and an intolerable nuisance, he said, "some gentlemen think so, others do not." The impressions of law-books were from 200 to 1000; 200 was considered as a very large impression.

Mr Robert Baldwin, (bookseller.)

Mr Baldwin dealt chiefly in books on education, and others of general sale; he considered 750 as the average

of his editions. Though the delivery to him did not fall heavy on any particular book, yet from the greater number published, he considered himself as sustaining an equal hardship with those who published a few books at high prices. He has delivered books under the act to the value of above 1000*l.* at the trade price. He calculated, that not more than one book in four produced any profit; sometimes books did not pay half their expences. In impressions of any magnitude, the delivery did not raise the price of books. It was impossible to lay so small an expence upon the price, which must be made in even shillings or sixpences. He thought the demand for books had rather increased since 1814. He exported books to America. The Americans reprinted all new popular books; and though printing and paper were dearer there, they could sell them cheaper, from not having the expence of authorship. The export to America, therefore, consisted only of old books, and such as, from their expence and limited demand, could not be reprinted there.

Samuel Lysons, Esq.

Mr Lysons is keeper of the records of the Tower of London, and has been engaged in a number of expensive antiquarian works. He has been employed for 25 years in preparing a work on the Roman Antiquities of England, on which he has spent 6000*l.* without reckoning the cost of travelling. It will contain 160 plates in folio, many of them 40 inches by 23. He does not expect ever to sell more than 100 copies, which, at 50 guineas a copy, will not reimburse his expences. It is publishing in numbers, the two first of which were accompanied with letter-press descriptions, of one or two pages, and sometimes more, to each plate. But, upon the passing of the Act, he was obliged, in order to evade its provisions, to omit the descriptions,

and give only the plates. He does not know what value might be attached to the descriptions, but they certainly rendered the work more satisfactory to himself; he therefore intended to print letter-press, probably on the Continent, and import it. The greater portion of the Roman tables were Mr. Lysons's own discovery. Single pavements had been found; but the buildings to which they belonged had not been traced. Mr. Lysons is also engaged in a great national work called *Magna Britannia*, which is now publishing in 4to, a volume to each county. It will be many years before the expence can be repaid, and nothing like remuneration can ensue. The public libraries were subscribers before the Act. Mr. Lysons admitted, that he had frequent occasion to consult books in the British Museum and the Bodleian Library, and that he always experienced the greatest civility.

Mr Robert Harding Evans, (bookseller.)

Mr Evans had been prevented by the Act from undertaking Damm's Lexicon to Homer and Pindar, and a reprint of Brotier's Tacitus. Had he known of its being to pass, he would not probably have undertaken the reprint of Hackluyt's Voyages, of which 250 copies were printed and sold at 15 guineas; so that the eleven copies were 165 guineas, or nearly five per cent on the whole. It had taken seven years to sell, so that he does not think it could have borne any addition to the price. The encouragement to the reprint of learned works is very small. The University of Oxford has not been able, in 19 years, to sell the whole of an impression of Wyttenbach's edition (which is the best) of Plutarch's Morals. They printed in 1810 Aristotle's Politics and Economics, and there are copies still on hand.

Mr John Murray, (bookseller.)

Mr Murray finds it difficult to form

any average of the number of copies usually thrown off. He should say that the number of the books which he publishes is generally extensive. He thinks 750 may be nearly an average. Being asked as to the number printed of Lord Byron's *Childe Harold*, he begged leave to answer that question by simply stating, that the number was very extensive. Of *Tales of My Landlord*, he thinks he printed somewhere about from 10,000 to 12,000. He had been engaged in the publication of the *Harleian Miscellany*, Lord Somers's Tracts, and Piers Ploughman's Visions. The delivery of eleven copies would have made him hesitate, particularly as to the last, which had been a losing concern. He did not generally engage in the publication of expensive or ornamented works, having found the profit attending them not commensurate with the enormous trouble and expence. The amount of the sale price of the presentation copies of books published by him since 1814, is about 1700*l*. The trade price would be about 1275*l*. Although he did not deal in expensive works, he yet considered the compulsory delivery of eleven copies to be a very heavy tax. He had given general directions to a clerk to furnish all new works to the British Museum, which had been done till the clerk was taken ill, and confined for a short time, during which the delivery of a few books was suspended. Hereupon he had, without any warning, been served with a writ from the British Museum. These books were, "Ellis's Embassy to China," "Macleod's Account of China," "Davis on Poor Laws," and "Sir Thomas Bernard's Duties on Salt." He did not conceive the extension of the copyright from 14 to 28 years to be of any material importance. There were very few books, not perhaps above one in a hundred, which retained any value after 14 years.



Edward Daniel Clarke, LL.D. (author of *Travels in Russia*, and librarian to the University of Cambridge.)

Dr Clarke sold the copy-right of his *Travels into Russia* to Messrs Cadell and Davies. He believed they threw off about 1200 copies in the first instance, but they had since increased the number considerably. He asked only twelve copies for his friends, but they gave him twenty-four; and whenever he wanted a copy for a friend, they gave it always in the most liberal manner. From various authors whom he had occasion to see by living at the University, he understood that the copy-right of works was a property increasing in value. He knew many gentlemen who had received higher copy-rights than himself. He conceived that the depositing a book in the University library was the very best means to make it sell. There are libraries in every college; in all sixteen. When a member of any college sees a book which he approves, lying on the public table, he immediately proposes it to his college, and it is bought. Dr Clarke mentioned, in particular, Aikin's *Chemical and Mineralogical Dictionary*, in two vols. 4to, a work of merit, but of slow sale, which was first made known at Cambridge by his purchasing it for the library; after which it was bought by several others. A person of the name of William Davey had printed fourteen copies of a *Collection of Theological Tracts*, in 18 volumes 8vo., and had caused a copy to be lodged in each of the public libraries, with a notice, that if he met with encouragement, it would be published. This he did, merely as a cheap mode of advertising. Dr Clarke does not know of its having ever been reprinted. The most strict scrutiny is made into the books before they are placed in the library. The librarians refer all doubtful cases to the

Syndicat, a body consisting of the professors and other officers of the University. The rejected books are put in boards, and placed in cases by themselves. Masters and Bachelors of Arts may examine them if they please. He did not know an instance of their having done so. Novels and music were generally rejected, but any of peculiar value was retained. It being remarked that the "*Antiquary*" had been rejected, he said a book might escape notice, but if any one had proposed that it should be received, the request would have been attended to. It was impossible, without getting the books and seeing them, to judge what they contained. Thus he had seen a title, "*The Veracity of Moses as an Historian Vindicated*;" but when it came down, it proved to be a work on mineralogy. Being asked if "*The Laws of Cricket*" might not have been rejected on the mere title,—did not know of any such work. Being asked if, in expensive botanical works, the plates of which are curiously coloured by hand, it was not a hardship to give eleven copies, Dr Clarke mentioned, that, on the contrary, having received the latter part of a beautiful work by Mr Sowerby, they had been obliged to buy the earlier numbers, in order to make up the set. The greatest facility was granted in the library to men of letters wishing to consult the books contained in it. Mr Dibdin and Mr Lysons had long consulted it, and of late Professor Bernstein had a room and fire allowed him. Each Master of Arts was allowed to take out ten books at a time, and might lend them to any one whom he wished to accommodate. They had been sent to Lincoln, to Edinburgh, to York, and the books had thus suffered injury; to prevent which, some regulations had been made at Dr Clarke's instance. Lord Spencer, who had been down

buying, had expressed his approbation of the manner in which the books were kept and arranged.

The Rev. William Webb, D. D. (Vice-Chancellor of the University of Cambridge.)

Dr Webb confirmed Dr Clarke's statement as to the mode in which the selection of the books was made. Where the University had subscribed before 1814, they continued their subscription, and put aside the books received under the act. Mr Ackermann had got some returned, and Mr Lodge might, on application, receive back his "Illustrious Portraits." The only means which the University possesses of buying books, is the Ruslat fund, which does not exceed 800*l*. They are thus often unable to buy even valuable works. They had till very lately neither Heiderick's nor Schrevelius's Greek Lexicon; the works of Dr Paley, though a member of the University, were not in the library till last year. He thinks Mr Lysons would have sold more than 25 copies of his work, if he had sent it down to the University. The number of students had increased 500 since the passing of the act; they were now 3100.

The Rev. Thomas Gaisford, (professor of Greek at Oxford.)

Mr Gaisford is a curator of the Bodleian Library, generally believed to be the most extensive in the kingdom. Almost all the books claimed under the act are deposited in the library. Not one in a hundred, perhaps, is rejected, chiefly school books, such as Jones's Arithmetic. The University had attempted to make distinctions in their demand of works, but found it impossible to judge of a work by the title. The usual estimate applicable to the purchase of books or manuscripts is about 1000*l*. It is employed chiefly in the purchase of foreign works or manuscripts; within the last ten years they had expended

between 8000*l*. and 9000*l*. in MSS. and had thus incurred a debt of 4000*l*. chiefly in the purchase of a collection from Venice. The lately obtained MSS. consisted chiefly of some Greek classics, Greek and Latin ecclesiastical MSS., Latin classics, and Italian literature, with some not reducible to any general head. He would not, as a curator, advise more than 100*l*. to be applied to the purchase of English books. The Bodleian MSS. were about fourteen thousand in number, perhaps more. Unluckily Sir Thomas Bodley excluded dramatic works, so that they had not the first and second editions of Shakespeare. It was important to have all books, good and bad, placed in the library for future reference. Thus, Thomas Paine's works might be useful hereafter to an historian of George III. Green's "Art of Coney Catching," is referred to in Johnson and Stevens's Shakespeare; and a foreign editor of Xenophon de Venatione has made use of an English Treatise on Hunting. The library is open to all graduates of a certain rank, and every facility is given to persons engaged in works of science and literature. The University never subscribes for works; they would probably have purchased Dugdale's Monasticon and Stephens's Thesaurus, when completed; but they would not have taken them in. It is impossible to obtain complete lists of new works, or to judge of them without seeing them. Being asked if he does not conceive that the delivery of eleven copies of Gough's Sepulchral Monuments, which sell at 90 guineas, would not be a grievance, he observed, that a new edition could not be published without the University's permission, as they have the plates. Hickes's Thesaurus was printed at the University press; he does not think it would be a heavy grievance on the author to deliver eleven copies.

Joseph Phillimore, Esq. (Regius Professor of Civil Law, and a curator of the Bodleian Library.)

Mr Phillimore confirmed the statement, that the funds of the Bodleian Library did not exceed 1000*l.* chiefly raised by a tax on the University, which had been lately doubled. He believes mathematics to be the branch in which the library is most deficient. It is peculiarly rich in topography; and he conceived that even common guides to watering places should be placed there, as they may be of use hereafter. It being remarked, that Mr More's Sacred Dramas were among the rejected books, he could not answer as to every book.

The Rev. Bulkeley Bandinell, (librarian to the University.)

The library is always made as open as possible to authors, and even to booksellers. Mr Lysons, in his Britannia, made frequent references to it. Mr Ruding, in his Coinage, received assistance, which he had handsomely acknowledged. The editor of the new edition of Wood's Athens received most material aid, without which Mr Bandinell does not think that work could have gone on. Mr Gifford made acknowledgments in his late edition of Ben Jonson; and many of Mr Lodge's Illustrious Portraits were copied from the Bodleian; the artists were admitted at all hours. Mr Lowe, who projected a continuation of Macdaniell's Lives of British Statesmen, was admitted into the library, with two amanuenses, whom he kept constantly copying. It would scarcely be believed, but this gentleman often had down a hundred books in the day. Mr Triphook and Dr Nott had been enabled, from the Bodleian, to complete their reprints of Anthony Baird's "Book of Knowledge," and of the "Gull's Hornbook;" the latter a very curious work, not corresponding with its frivolous title. There were some

books, such as one entitled "A Rat from the Lion's Paw," which had been at first rejected, but were afterwards thought likely to become curious at some future time, in a political point of view. This had not been demanded, in consequence of merely judging by the title, without seeing the book.

Rev. Launcelot Sharpe, (a governor of Sion College.)

The court of governors of this college consist of the rectors, vicars, curates, and lecturers of the city of London. It was opened for use in the year 1631. It is accessible every day of the week, except Sundays, Good Friday, and Christmas day, and a month in the year for arranging it. Three-fourths of the books received from the stationers' company are put in the shelves, and the rest kept in an adjacent room, where they are easy of access. Many authors of eminence have resorted to the library. The late Drs Vincent and Goddard, Mr Nicholls, Mr Malcolm; it would be a waste of time to name all. The library has no funds for purchasing books, except one of 20*l.*, and the other of 6*l.* Being asked if novels were put into a library established for the benefit of clergymen, he answered, he did not conceive it at all derogatory to a clergyman, after having laboured through the day, to amuse himself with reading a good novel. This library is not, of course, so much frequented as the Museum; one reason is, that the books are lent out. Any fellow may have any number he chooses. Books which, at one time, appeared trash, have proved afterwards valuable; thus one, entitled "Greene's Groat's Worth of Wit," is now worth six guineas. The library could hold 20,000 volumes.

Mr Henry Hevey Baker, (of the British Museum.)

The British Museum has not been regularly supplied with books since 1814. The Messrs Rivingtons were

sented with a writ, but terms were made with them. There are two writs out at present, one against Mr Murray, the other against Mr Baynes. There was a general notice circulated through the trade soon after the act passed, which Mr Murray received very ungraciously, and used very intemperate language to Mr Baker upon the occasion; he did not, therefore, think it necessary to give a second notice. Messrs Longman and Company always delivered their books regularly. Some doubt arose as to the liability of two collections of tracts, the *Archæica* and *Heliconica*, but the publishers ultimately judged it expedient to deliver them.

Mr Baker lamented that the British Museum was not so accessible to the public as it ought to be. Admissions were formerly given to any person bringing a proper recommendation with him; but, in consequence of the misbehaviour of one individual, it had been ordered that none should be admitted unless known to a trustee or librarian. This rule was not very rigidly adhered to; the librarians found it painful to refuse, and often took the responsibility on themselves. Persons sometimes applied for information as to the works they wanted to consult; a good deal of the time of the librarians was spent in giving such information. He lamented also that there was not sufficient accommodation in the rooms for the numbers who came there. This number fluctuated from 10 to 30 in the day, and the room was sometimes over-crowded. About 50 or 60 dictionaries are placed in the sitting-room, so as to be consulted without an application to the librarians; it might be desirable that more books were so placed. The Museum is now engaged in publishing a *fac-simile* of the *Alexandrian Manuscript*; the delivery of eleven copies will not be any burden on that work. There are others on

which it might be a burden, such as the "*Public Records*," and the "*Body of English Historians*;" but no individual would in any case undertake such works. He never knew an instance in which a very expensive work had a large sale, or was reprinted.

## REPORT.

*Of Committee appointed to inquire into the propriety of purchasing Dr Burney's Library for the British Museum.*

The Committee have directed their attention, in the first place, to inquiring into the component parts or principal classes of literature, of which this library consists; secondly, into their value; and thirdly, as to the importance of purchasing the whole, at the public charge, for the purpose of adding it to the collection now existing in the British Museum, having ascertained, that Dr Burney's executor was unwilling to separate one portion from the rest, or to treat for the sale of the collection otherwise than as entire and undivided.

One of the large classes consists of manuscripts of classical and other ancient authors; among which that of Homer's *Iliad*, formerly belonging to Mr Towneley, holds the first place in the estimation of all the very competent judges, who were examined by your Committee; although not supposed to be older than the latter part of the thirteenth or beginning of the fourteenth century, it is considered as being of the earliest date of the MSS. of Homer's *Iliad* known to scholars, and may be rated as superior to any other which now exists, at least in England; it is also extremely rich in scholia, which have been hitherto but partially explored.

There are two copies of the series of Greek Orators, probably written in the fourteenth or fifteenth centuries, of which that upon vellum was brought to this country by Mr Cripps and Dr Clarke, and is esteemed as extremely valuable: an account of the Orations contained in it was drawn up by Dr Raine, late Master of the Charterhouse, and of the collations, which he had made in comparing it with the Aldine edition.

This manuscript of the Rhetoricians is indeed one of the most important manuscripts ever introduced into this country, because it supplies more lucanæ than any other manuscript; there is contained in it a portion of Isæus, which has never been printed: there is only one printed oration of Lysurgus in existence, which is imperfect, and this manuscript completes it; there is also an oration of Dinarchus, which may be completed from this manuscript.

Among the rarer manuscripts in the collection, there are two beautiful copies of the Greek Gospels, of the tenth and twelfth centuries. The Geography of Ptolemy is another of the finest manuscripts, enriched with maps, which, although not older than the fifteenth century, yet, from the circumstance of all the other known copies of this work in the original language being in the collection of different public libraries abroad, the possession of this copy is rendered particularly desirable. There is likewise a valuable Latin manuscript of the comedies of Plautus, written in the fourteenth century, containing twenty plays; which is a much larger number than the copies already in the Museum, or those in foreign libraries in general contain, most of which have only six or eight, and few, comparatively speaking, more than twelve plays. A beautiful and correct manuscript of Callimachus of the fifteenth century;

a very fine copy of Pappus Alexandrinus' collection of Mathematical Treatises, of similar date; and a manuscript of the Asinus Aureus of Apuleius, an author of extreme rarity, deserve also particular notice. The whole number of manuscripts amount to about 385, but those above mentioned are the most important and valuable.

Exclusive of the manuscripts already noticed, there is a very large number of Memoranda and Criticisms, in Dr Burney's own hand, (exclusive of the *Fragmenta Scenica Græca*, and books with Dr Burney's own notes;) three or four articles of which seem nearly prepared for the press. In this part of the collection, there are several small Lexicons of the Greek Dialects, with numerous remarks on ancient authors; the merit of which, though certainly considerable, can only be thoroughly appreciated by patient investigation.

There are also many original letters of Isaac Casaubon, who maintained an extensive correspondence with many of the learned men of his time; whose letters to Casaubon have never been published.

Among the printed books, the whole number of which is from 18,000 to 14,000 volumes, the most distinguished branch consists of the collection of Greek dramatic authors, which are arranged so as to present every diversity of text and commentary at one view; each play being bound up singly, and in so complete but expensive a manner, that it has occasioned the sacrifice of two copies of every edition, and in some instances of such editions as are very rare; the same arrangement has also been adopted with regard to Harpocration, and some of the Greek grammarians; and both the editions of, and annotations upon, Terentianus Maurus, are particularly copious and complete. It appears indeed, that this collection contains the first edition of every Greek Classic, and several of the

scarcest among the Latins, and that the series of Grammarians, Lexicographers, and Philosophical writers, in both languages, is unusually complete. The books are represented to be generally in good, though not in what may be styled brilliant, condition; the whole being collected by Dr Burney himself, from the different great libraries, which have been of late years brought to sale, beginning chiefly with the Pinelli Collection.

To enable the House to form an opinion upon this branch of the collection, your Committee submit the words of one of the witnesses whom they examine—who says, “The great feature of this eminent scholar’s library is that part which relates to Greek Literature, whether ancient or more recent. In this respect it is probably the most complete ever assembled by any man, as it comprises all the materials requisite for classical criticism. In Latin Classics, and in the criticism connected with Roman Literature, it is not so copious as in the Greek; but nevertheless it contains a number of rare and valuable books, which would considerably enrich the stores deposited in the Museum.”

The same witness, with reference to the collection of Memoranda above alluded to, further says,

“The books with manuscript notes may be divided into three portions; first, those which have their margins more or less crowded with remarks, collations, &c. in the hand-writing of many very eminent scholars, viz. Bentley, Burmann, Casaubon, &c.; secondly, the books with manuscript notes by Dr Burney. The greater portion of the books thus enriched, are the Greek Tragedians and the ancient Greek Lexicographers. To illustrate the Greek Drama, and to add to the stores of the ancient Lexicographers, Dr Burney seems to have directed the greatest portion of his industry; and to

any future edition these remarks and additions would prove a most interesting acquisition. Another important portion of this collection may be called the Variorum Collection; this is, perhaps, one of the most remarkable series of books in the whole library; in it Dr Burney has so brought together the comments and notes of many celebrated scholars upon several Greek, and particularly the dramatic writers, that at one view may be seen almost all that has been said in illustration of each author; it extends to about 300 volumes in folio and quarto. One portion of this remarkable collection consists of a regular series of 170 volumes, entitled *Fragments Scenica*, which comprises all the remains of the Greek dramatists, in number not less than 300, wheresoever they could be traced.”

The great copiousness of Dr Burney’s library in Greek literature may be collected at once from the following comparative statement of the editions of several authors in that collection, and in the library of the British Museum:—

## AUTHORS, &amp;c. MUSEUM. DR BURNEY.

Works entire or in part.	Editions.	Editions.
Æschylus . . .	13	47
Anacreon . . .	17	26
Anthologia . . .	19	30
Apolonius Rhodius . . .	4	12
Archimedes . . .	2	5
Aristænetus . . .	3	6
Aristophanes . . .	23	74
Atheneus . . .	6	10
Athenagoras . . .	4	9
Callimachus . . .	7	16
Chrysoloras . . .	2	16
Demetrius Phalereus . . .	4	10
Demophilus . . .	2	5
Demosthenes . . .	18	50
Dion Niceus . . .	2	2
Etymologicum Magnum . . .	2	5
Euripides . . .	46	166
Gaza . . .	1	21
Gnomici Scriptores . . .	6	14
Gregorius Corinthus . . .	1	3

Gregorius Nazianzenus	14	28
Homer	45	87
Isocrates	11	30
Sophocles	16	102

Another, and a very different branch of this collection comprises a numerous and rare series of Newspapers, from 1603 to the present time, amounting in the whole to 700 volumes, which is more ample than any other that is supposed to be extant. A large collection of between 300 and 400 volumes in quarto, containing materials for a History of the Stage, from 1660 to the present time, and particulars relating to the biography of actors, and persons connected with the stage, may be classed after these daily journals.

Dr Burney's collection of Prints has been principally made with reference to this object, comprising the most complete series that probably exists of theatrical portraits, beginning in the latter part of Queen Elizabeth's reign, which is the period of our earliest engravers of portraits, such as Gemini,\* Hogenburgh, Elstracke, and the three Passes, and continued to the present time. The number of these theatrical engravings is about 5000, many of which are bound together in ten volumes; besides these, there are about 9000 other engraved portraits, principally of authors, commentators, and other learned persons.

With respect to the value of the manuscripts, the Homer is rated by the different witnesses at from 600*l.* to 800*l.*, and one of them supposed it might even reach so high a price as 1000*l.*; the Greek Rhetoricians are estimated at from 340*l.* to 500*l.*; the larger copy of the Greek Gospels at 200*l.*; the Geography of Ptolemy at 65*l.*, and the copy of Plantus at 50*l.* One witness estimates the whole of the ancient manuscripts at upwards of

2500*l.*, and an eminent bookseller\* at 3000*l.* The set of Newspapers, from the year 1603 to the present time, is valued at from 900 guineas to 1000*l.*

The books with manuscript notes, together with Dr Burney's Variorum Compilation, including the Fragmenta Scenica Græca, are estimated by one at 1000*l.*, and by another as high as 1340*l.*; who likewise computes the materials for the History of the Stage at 140*l.*

The Prints are judged to be worth the sum of 450*l.*; and the bookseller above referred to, who has examined the whole (except the engravings) for the purpose of enabling the present proprietor to set a value upon them, estimates the printed books in the library at 9000*l.*, some other books in his study adjoining, and a great number of tracts at 500*l.* and the whole, exclusive of the prints, at 14,500*l.*

A considerable expense would necessarily attend the selling of this, or any other library, by public auction, which usually amounts to either 15 or 17½ per cent upon the gross produce of the sale; but your Committee having questioned the last witness alluded to, Mr Payne, found it to be his opinion, that the net money price of the library in question, after deducting all expenses, might amount to 14,500*l.*

The persons examined by your Committee, as being particularly competent to assist them in forming their judgment, have been Henry Ellis, Esq. the Rev. H. Barber, and Mr Smith; from the British Museum; Richard Heber, Esq. the Rev. T. F. Dibdin, the Rev. J. Cleaver Banks, Mr Payne, and Mr Evans; the substance of whose testimony your Committee have endeavoured to put the House in possession of.

The importance of acquiring for the British Museum a library, stored with

such literary treasures as have been accumulated, is sufficiently apparent from what has been already stated; but it is obvious, that in purchasing the entire collection much more will be bought than it will be necessary to retain; and that a considerable number of the printed books being duplicates of those already in the British Museum, must be sold again; and that this cannot be done otherwise than at the expense of 17½ per cent upon the produce of such sales, whatever the amount may be. It is also to be borne in mind, that, even if the purchase should be completed without delay, these duplicates could not be sorted and examined, so as to bring them to sale in the course of the present session.

Your Committee therefore suggest, that for the ensuing year, the net amount of such sale (which may be estimated at from 3000*l.* to 4000*l.*) should be so far refunded to the public, as to give a diminution of the annual grant to the British Museum; and also, that in consideration of so ample and costly an accession being made to the existing stock of books, it may be proper to suspend or reduce, for a time, the annual grant of 1000*l.* to the book fund, with the exception of such parts of that annual sum as are applied in subscriptions to works now in the progress of publication.

Upon the whole matter, your Committee venture to recommend as the result of the best consideration, which they have bestowed both upon the importance and just value of the entire collection, that the proprietors, being ready to dispose of it for the sum of 13,500*l.*, it will be a very material addition to the public stock of literature, and purchased at a price which cannot be deemed unreasonable.

## TREATY

*Between his Britannic Majesty and his Catholic Majesty, for preventing their Subjects from engaging in an Illicit Traffic in Slaves. Signed at Madrid the 23d of September, 1817.*

In the Name of the Most Holy Trinity!—It having been stated, in the second additional article of the treaty signed at Madrid on the 5th of July, 1814, between his Majesty, the King of the united kingdom of Great Britain and Ireland, and his Majesty, the King of Spain and the Indies, that his Catholic Majesty concurs, in the fullest manner, in the sentiments of his Britannic Majesty, with respect to the injustice and inhumanity of the traffic in slaves, and promises to take into consideration, with the deliberation which the state of his possessions in America demands, the means of acting in conformity with those sentiments; and engages, moreover, to prohibit his subjects from carrying on the slave trade, for the purpose of supplying any islands or possessions, excepting those appertaining to Spain; and to prevent, by effectual measures and regulations, the protection of the Spanish flag being given to foreigners who may engage in this traffic, whether subjects of his Britannic Majesty, or of any other state or power."

And his Catholic Majesty, conformably to the spirit of this article, and to the principles of humanity with which he is animated, having never lost sight of an object so interesting to him, and being desirous of hastening the moment of its attainment, has resolved to co-operate with his Britannic Majesty in the cause of humanity, by adopting, in concert with his said Majesty, efficacious means for bringing about the abolition of the slave trade, for effectually suppressing



illicit traffic in slaves, on the part of their respective subjects, and for preventing Spanish ships trading in slaves, conformably to law and to treaty, from being molested or subjected to losses from British cruisers; the two high contracting parties have accordingly named as their plenipotentiaries, viz. his Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Hon. Sir Henry Wellesley, a Member of his Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, and his Majesty's Ambassador Extraordinary and Plenipotentiary to his Catholic Majesty; and his Majesty the King of Spain and the Indies, Don Josef Garcia de Leon y Pizarro, Knight Grand Cross of the Royal and Distinguished Spanish Order of Charles III., of that of Saint Ferdinand and of Merit, of Naples, of those of Saint Alexander Newsky and of Saint Anne of Russia, and of that of the Red Eagle of Prussia, Counsellor of State, and First Secretary of State and of the General Dispatch; who, having exchanged their respective full powers, found to be in good and due form, have agreed upon the following articles:—

Art. 1.—His Catholic Majesty engages, that the slave trade shall be abolished throughout the entire dominions of Spain, on the 30th day of May, 1820, and that, from and after that period, it shall not be lawful for any of the subjects of the crown of Spain to purchase slaves, or to carry on the slave trade, on any part of the coast of Africa, upon any pretext or in any manner whatever; provided, however, that a term of five months, from the said date of the 30th of May, 1820, shall be allowed for completing the voyages of vessels, which shall have cleared out lawfully previously to the said 30th of May.

Art. 2.—It is hereby agreed, that from and after the exchange of the ratifications of the present treaty, it shall not be lawful for any of the subjects of the crown of Spain to purchase slaves, or to carry on the slave trade on any part of the coast of Africa to the north of the equator, upon any pretext or in any manner whatever; provided, however, that a term of six months, from the date of the exchange of the ratifications of this treaty, shall be allowed for completing the voyages of vessels which shall have cleared out from Spanish ports for the said coast, previously to the exchange of the said ratifications.

Art. 3.—His Britannic Majesty engages to pay, in London, on the 20th of February, 1818, the sum of 100,000*l.* sterling, to such person as his Catholic Majesty shall appoint to receive the same.

Art. 4.—The said sum of 100,000*l.* sterling, is to be considered as a full compensation for all losses sustained by the subjects of his Catholic Majesty engaged in this traffic, on account of vessels captured previously, to the exchange of the ratifications of the present treaty, as also for the losses, which are a necessary consequence of the abolition of the said traffic.

Art. 5.—One of the objects of this treaty on the part of the two governments, being mutually to prevent their respective subjects from carrying on an illicit slave trade; the two high contracting parties declare, that they consider as illicit, any traffic in slaves carried on under the following circumstances:—1st, Either by British ships, and under the British flag, or for the account of British subjects, by any vessel, or under any flag whatever. 2d, By Spanish ships, upon any part of the coast of Africa north of the equator, after the exchange of the ratifications of the present treaty; provided, however, that six months

ships be allowed for completing the voyages of vessels, conformably to the tenor of the second article of this treaty. 3d, Either by Spanish ships, and under the Spanish flag, or for the account of Spanish subjects, by any vessel, or under any flag whatsoever, after the 30th of May, 1820, when the traffic in slaves, on the part of Spain, is to cease entirely; provided always, that five months shall be allowed for the completion of voyages commenced in due time, conformably to the first article of this treaty. 4th, Under the British or Spanish flag, for the account of the subjects of any other government. 5th, By Spanish vessels bound for any port not in the dominions of his Catholic Majesty.

Art. 6.—His Catholic Majesty will adopt, in conformity to the spirit of this treaty, the measures which are best calculated to give full and complete effect to the laudable objects which the high contracting parties have in view.

Art. 7.—Every Spanish vessel which shall be destined for the slave trade, on any part of the coast of Africa where this traffic still continues to be lawful, must be provided with a royal passport, conformable to the model annexed to the present treaty, and which model forms an integral part of the same. This passport must be written in the Spanish language, with an authentic translation in English annexed thereto; and it must be signed by his Catholic Majesty and countersigned by the Minister of Marine, and also by the principal naval authority of the district, station, or port, from whence the vessel clears out, whether in Spain, or in the colonial possessions of his Catholic Majesty.

Art. 8.—It is to be understood that this passport, for rendering lawful the voyages of slave ships, is required only for the continuation of the traffic to the south of the line; those pas-

ports which are now issued, signed by the First Secretary of State of his Catholic Majesty, and in the form prescribed by the order of the 16th of December, 1816, remaining in full force for all vessels which may have cleared out for the coast of Africa, as well to the north as to the south of the Line, previously to the exchange of the ratifications of the present treaty.

Art. 9.—The two high contracting parties, for the more complete attainment of the object of preventing all illicit traffic in slaves, on the part of their respective subjects, mutually consent, that the ships of war of their royal navies, which shall be provided with special instructions for this purpose, as hereinafter mentioned, may visit such merchant vessels of the two nations as may be suspected, upon reasonable grounds, of having slaves on board, acquired by an illicit traffic; and in the event only of their finding slaves on board, may detain and bring away such vessels, in order that they may be brought to trial before the tribunals established for this purpose, as shall hereinafter be specified; provided always, that the commanders of the ships of war of the two royal navies, who shall be employed on this service, shall adhere strictly to the exact tenor of the instructions which they shall receive for this purpose. As this article is entirely reciprocal, the two high contracting parties engage mutually, to make good any losses which their respective subjects may incur unjustly by the arbitrary and illegal detention of their vessels. It being understood that this indemnity shall invariably be borne by the government whose cruiser shall have been guilty of the arbitrary detention; provided always, that the visit and detention of slave ships, specified in this article, shall only be effected by those British or Spanish vessels, which may form part of the two royal navies, and by those only of such

vessels which are provided with the special instructions annexed to the present treaty.

Art. 10.—No British or Spanish cruiser shall detain any slave ship, not having slaves actually on board; and in order to render lawful the detention of any ship, whether British or Spanish, the slaves found on board such vessels must have been brought there for the express purpose of the traffic; and those on board of Spanish ships must have been taken from that part of the coast of Africa where the slave trade is prohibited, conformably to the tenor of the present treaty.

Art. 11.—All ships of war of the two nations, which shall hereafter be destined to prevent the illicit traffic in slaves, shall be furnished by their own government with a copy of the instructions annexed to the present treaty, and which shall be considered as an integral part thereof. These instructions shall be written in Spanish and English, and signed for the vessels of each of the two powers, by the minister of their respective marine. The two high contracting parties reserve the faculty of altering the said instructions, in whole or in part, according to circumstances; it being, however, well understood, that the said alterations cannot take place but by the common agreement, and by the consent of the two high contracting parties.

Art. 12.—In order to bring to adjudication with the least delay and inconvenience, the vessels which may be detained for having been engaged in an illicit traffic of slaves, there shall be established, within the space of a year at farthest, from the exchange of the ratifications of the present treaty, two mixed commissions, formed of an equal number of individuals of the two nations, named for this purpose by their respective sovereigns. These

commissions shall reside—one in a possession belonging to his Britannic Majesty; the other within the territories of his Catholic Majesty; and the two governments, at the period of the exchange of the ratifications of the present treaty, shall declare, each for its own dominions, in what places the commissions shall respectively reside. Each of the two high contracting parties reserving to itself the right of changing, at its pleasure, the place of residence of the commission held within its own dominions; provided, however, that one of the two commissions shall always be held upon the coast of Africa, and the other in one of the colonial possessions of his Catholic Majesty. These commissions shall judge the causes submitted to them without appeal, and according to the regulation and instructions annexed to the present treaty, of which they shall be considered as an integral part.

Art. 13.—The acts or instruments annexed to this treaty, and which form an integral part thereof, are as follows:—No. 1. Form of passport for the Spanish merchant ships, destined for the lawful traffic in slaves. No. 2. Instructions for the ships of war of both nations, destined to prevent the illicit traffic in slaves. No. 3. Regulation for the mixed commissions, which are to hold their sittings on the coast of Africa, and in one of the colonial possessions of his Catholic Majesty.

Art. 14.—The present treaty, consisting of fourteen articles, shall be ratified, and the ratifications exchanged at Madrid, within the space of two months from this date, or sooner if possible. In witness whereof the respective plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms. Done at Madrid, this 29<sup>th</sup> September, 1817.

(Signed) HENRY WELLESLEY, (L. S.)  
JOSEF PIZARRO. (L. S.)

OFFICIAL DOCUMENTS SIGNED AT THE CONGRESS OF  
AIX-LA-CHAPELLE.TREATY FOR THE EVACUATION OF  
FRANCE.

In the name of the Holy and Indivisible Trinity !

Their Majesties the Emperor of Austria, the King of Prussia, and the Emperor of all the Russias, having repaired to Aix-la-Chapelle, and their Majesties the King of France and Navarre, and the King of the kingdom of Great Britain and Ireland, having sent thither their Plenipotentiaries, the Ministry of the five Courts having assembled in conference, and the French Plenipotentiary having made known, that in consequence of the state of France and the faithful execution of the treaty of Nov. 20, 1815, his Most Christian Majesty was desirous that the military occupation stipulated by the fifth article of the said treaty should cease as soon as possible, the Ministry of the Courts of Austria, Great Britain, Prussia, and Russia, after having, in concert with the said Plenipotentiary of France, maturely examined every thing that could have an influence on such an important decision, declared, that their Sovereigns would admit the principle of the evacuation of the French territory at the end of the third year of the occupation; and wishing to consolidate their resolution in a formal convention, and to secure at the same time the definitive execution of the said treaty of November 20, 1815, their Majesties named (here follow the names of the Ministry), who have agreed upon the following articles :—

Art. 1.—The troops composing the army of occupation shall be withdrawn from the French territory by the 30th of November next, or sooner if possible.

Art. 2.—The strong places and fortresses which the said troops now occupy, shall be surrendered to Commissioners named for that purpose by his

Most Christian Majesty, in the state in which they were at the time of the occupation, conformably to the ninth article of the Convention concluded in execution of the fifth article of the treaty of November 20, 1815.

Art. 3.—The sum destined to provide for the pay, the equipment, and the clothing of the troops of the army of occupation, shall be paid, in all cases, till the 30th of November next, on the same footing on which it has existed since the 1st of December 1817.

Art. 4.—All the pecuniary arrangements between France and the allied powers having been regulated and settled, the sum remaining to be paid by France to complete the execution of the 4th article of the treaty of November 1815, is definitively fixed as 265 millions of francs.

Art. 5.—Of this sum, the amount of 100 millions of effective value shall be paid by an inscription of *rentes* on the great book of the public debt of France, bearing interest from the 22d of September 1818. The said inscriptions shall be received at the rate of the funds on the 5th of October 1818.

Art. 6.—The remaining 165 millions shall be paid by nine monthly instalments, commencing with the 6th of January next, by draughts on the houses of Hope and Co. and Baring, Brothers, and Co. In the same manner the inscriptions of the *rentes*, mentioned in the above article, shall be delivered to Commissioners of the Courts of Austria, Great Britain, Prussia, and Russia, by the royal treasury of France, at the epoch of the complete and definitive evacuation of the French territory.

Art. 7.—At the same epoch, the Commissioners of the said Courts shall deliver to the royal treasury of France the six obligations (engagements) not

yet discharged (*acquittés*), which shall remain in their hands of the fifteen obligations (*engagements*) delivered conformably to the second article of the convention, concluded for the execution of the fourth article, of the 20th of November 1815. The said Commissioners shall, at the same time, deliver the inscriptions of seven millions of *rentes*, created in virtue of the eighth article of the said convention.

Art. 8.—The present convention shall be ratified, and the ratifications exchanged, at Aix-la-Chapelle, in the course of fifteen days, or sooner, if possible; in the faith of which the respective plenipotentiaries have herewith signed their names, and affixed to it their seal and arms.

Done at Aix-la-Chapelle, the 9th of October, in the year of Grace 1818.

[Here follow the signatures of the Ministers.]

We have found the above treaty conformable to our will, in consequence of which we have confirmed and ratified the same, as we do now confirm and ratify it for our heirs and successors.

[Here follow the signatures of the Sovereigns, with the specification of the different years of their several reigns.]

Aix-la-Chapelle, Oct. 17, 1818.

#### PROTOCOL OF NOV. 3.

The Duke of Richelieu represented at the conference, that the terms for the payment of the 165 millions to be furnished by France, according to the Convention of the ninth of October, having been fixed at very near periods, a too rapid exportation of specie has been occasioned, which tends to produce a depreciation in the value of the inscriptions, equally injurious to the interests of all the contracting parties. To remedy this evil, the Duke of Richelieu proposed:

1. That the 165 millions which France was to discharge by monthly

instalments, from the 6th of January to the 6th of September, be discharged in twelve months, by monthly payments from the 6th of January to the 6th of December inclusive; the interest for the delay of three months being made good at the rate of 5 per cent.

2. That one hundred millions, in inscriptions, for which the different governments have treated with MM. Baring and Hope, shall be realized by payments made at the same epochs, with the same bonus of interest, in proportion to the delay of three months.

3. That arrangements shall be adopted with the above-mentioned houses, in order that the bills drawn upon them, conformably to article 6th, may be paid in assets, at the different places which may suit the convenience of the governments interested, by avoiding the removal of too great a mass of of specie.

MM. the Ministers Plenipotentiary of Austria, Great Britain, Prussia, and Russia, were unanimously of opinion to admit the proposition of the Duke of Richelieu, saving the entering, with respect to article 3d, into particular arrangements with Messrs Baring and Hope to fix the terms at which the effects in foreign funds should be accepted; and also that, in order to facilitate these arrangements, Mr Baring should be requested to come to Aix-la-Chapelle to take measures for that purpose, in concert with the persons charged with this business. Prince Hardenberg, besides, presented to the protocol the subjoined observations in reserve, relative to the arrangement which the Prussian Government entered into with Mr Baring, for the part of the payments stipulated by the Convention of 9th October, which accrue to the said Government.

(Signed)

METTERNICH. RICHELIEU.  
CASTLEREAGH. WELLINGTON.  
HARDENBERG. BERNSTOFF.  
NESSILRODE. CAPO D'ISTRIA.

• If the Prussian Government consent to the modifications proposed in the pecuniary stipulations of the convention of the 9th of October, it is under the threefold supposition—

• 1. That the particular arrangement of the Prussian government with Messrs Hope and Company, and Baring, Brothers, remain untouched, with the exception of such modifications as the said government may hereafter agree to with these houses.

2. That the loss which may result from the proposed payment in effects in foreign funds, shall be made good to the foreign powers.

• 3. That the guarantee stipulated for the payments agreed upon shall be extended to the more remote periods now claimed.

*Aix-la-Chapelle, Nov. 5.*

To Messrs the Special Commissioners of the Courts of Austria, Great Britain, Prussia, and Russia, at Paris.

• “GENTLEMEN,—The French government having, for the reasons stated in the Protocol of November 3, desired that the payments stipulated in the convention of October 9, be, as well for the 165 millions as for 100 millions to be discharged in inscriptions of rents, regulated by twelve instalments, the last being the 8th of December 1819, instead of nine, the last of which was to have been the 6th of September; under the condition, nevertheless, of making good this delay, of three months by the payment of interest at the rate of 5 per cent; the four courts have unanimously admitted these propositions, in order to avoid a depreciation in the value of the inscriptions of *rentes*, which would be equally injurious to all the contracting parties. We therefore lose no time in transmitting this resolution, as consigned in the annexed protocol, to you, to take its contents as your information and direction. We have received, in reply to our dispatch of the 15th of Octo-

ber, the note which you have done us the honour to address to us, under the date of the 8th October.

The protocol of distribution, signed at Paris on the 20th of October, 1815, having, in article 19, determined that the recovery of the sums to be paid by France, as well as their final repartition, should be accomplished through your intervention, we cannot do otherwise than assign to you the task of regulating with equity the mode of the repartition of the payments in respect to the general interest.

With respect to the note which the *Sieur Dumont* requested you would reproduce to us, we have to inform you that the British Government will transmit its directions to him.

(Signed)

METTERNICH. CASTLEREAGH.  
WELLINGTON. HARDENBERG.  
BERNSTORFF. NESSELRODE.

CAPO D'ISTRIA.

#### DECLARATION.

“The convention of the 9th of October, which definitively regulated the execution of the engagement agreed to in the treaty of peace of November 20, 1815, is considered by the Sovereigns who concurred therein, as the accomplishment of the work of peace, and as the completion of the political system destined to insure its solidity.

“The intimate union established among the Monarchs, who are joint parties to this system, by their own principles, no less than by the interests of their people, offers to Europe the most sacred pledge of its future tranquillity.

“The object of this union is as simple as it is great and salutary. It does not tend to any new political combination—to any change in the relations sanctioned by existing treaties. Calm and consistent in its proceedings,

it has no other object than the maintenance of peace, and the security of those transactions on which the peace was founded and consolidated,

"The Sovereigns, in forming this august union, have regarded as its fundamental basis their invariable resolution never to depart, either among themselves or in their relations with other states, from the strictest observation of the principles of the rights of nations; principles which, in their application to a state of permanent peace, can alone effectually guarantee the independence of each government, and the stability of the general association.

"Faithful to these principles, the Sovereigns will maintain them equally in those meetings at which they may be personally present, or in those which shall take place among their ministers; whether it shall be their object to discuss in common their own interests, or whether they take cognizance of questions in which other governments shall formally claim their interference. The same spirit which will direct their councils, and reign in their diplomatic communications, shall preside also at these meetings; and the repose of the world shall be constantly their motive and their end.

"It is with such sentiments that the Sovereigns have consummated the work to which they were called. They will not cease to labour for its confirmation and perfection. They solemnly acknowledge, that their duties towards God and the people whom they govern, make it peremptory on them to give to the world, as far as in their power, an example of justice, of concord, of moderation; happy in the power of consecrating, from henceforth, all their efforts to the protection of the arts of peace, to the increase of the internal prosperity of their States, and to the awakening of those senti-

ments of religion and morality, whose empire has been but too much enfeebled by the misfortunes of the times.

*Aix-la-Chapelle, Nov. 15. 1818.*

(Signed)

"METTERNICH. HARDENBERG.  
"RICHELEU. BERNSTOFF.  
"CASTLEREAGH. NESSELRODE.  
"WELLINGTON. CAPO D'ISTRIA."

#### CONSTITUTIONAL CHARTER OF THE KINGDOM OF BAVARIA, PUBLISHED THE 26th MAY.

##### TITLE I.—*General Principles.*

Art. 1. All the old and new provinces of the kingdom of Bavaria form a sovereign and monarchical state, according to the determinations contained in this constitutional act.

2. There shall be, for the whole kingdom, an assembly of the States-General, divided into two chambers.

##### TITLE II.—*Of the King, of the Succession to the Crown, and of the Regency.*

Art. 1. The King is the supreme Lord of the State; he unites in his person all the prerogatives of supreme power, and exercises them according to the principles which he has himself fixed by this constitutional act. His person is sacred and inviolable.

2. The crown is hereditary in the male line of the royal family, according to the order of primogeniture, and by collateral males from branch to branch.

3. The right of succession can belong only to legitimate children, sprung from a marriage with a person of equal birth, and with the consent of the King.

The 4th and 5th articles determine the manner in which the female branches shall succeed after the extinction of the male.

6. If, after the extinction of the

male branches, the crown of Bavaria should fall to the monarch of a greater monarchy, who could not, or would not, establish his residence in Bavaria, the crown shall pass to the second prince of this house, and then the rules of succession shall apply to the issue of this prince. But if the crown should fall to the wife of a greater monarch, she becomes Queen; but she shall be obliged to name a viceroy, who shall establish his residence in Bavaria, and after the death of this princess the crown shall pass to the second of her sons.

7. The princes and princesses are major at the completion of eighteen years.

8. The other relations of the members of the royal family are regulated by family statute.

9. The regency takes place during the minority of the King, or in case he should be for a long time prevented from exercising his functions, without having himself provided for the government of the kingdom.

10. The monarch has the right of choosing among the major princes the Regent for the minority of his successor. If the King has not made a choice, the right belongs to the nearest collateral major, &c.

11. When, from any cause which lasts more than a year, the King shall be prevented from exercising his functions without having himself provided for this case, the States-General shall be informed of the circumstance, and the constitutional regency shall be established with their consent.

12. (Mode of placing in the archives of the royal family the act of the nomination of a Regent.)

13. In case there could not be a collateral male, the regency belongs to the Queen Dowager. In failure of a Queen, the regency passes to that one of the functionaries of the crown whom the last monarch shall have named; or

in failure of such nomination, to the first of these functionaries, unless there occurs a legal obstacle.

14. In all cases the Queen Dowager has the right of superintending the education of her children, under the inspection of the Regent, and conformably to the family statute.

15. The regency shall always be exercised in the name of the King, whether minor, or incapable of exercising his functions. The acts shall be drawn up in his name, and sealed with the usual royal seal; the money shall bear his effigy, his arms, and his titles. The Regent shall sign, *Administrator of the Kingdom of Bavaria*.

16. The Regent, whoever he be, must, at the moment of entering on his functions, assemble the States-General, and proffer before them, and in the presence of the ministers and councillors of state, the following oath: "I swear to govern the state conformably to the constitution and laws of the kingdom, to maintain the integrity of the kingdom and the rights of the crown, and to deliver faithfully to the King the prerogative of which the exercise is intrusted to me, with the aid of God and of his Holy Gospel."

17. The Regent exercises all the prerogatives of supreme power which are not formally excepted by the charter.

18. He names only provisionally to all offices, those of justice excepted; he can neither alienate the domains of the crown nor grant fiefs, nor introduce new offices.

19. The Regent is obliged, in every important affair, to take the advice of the whole ministry formed by the council of regency.

20. The Regent shall be accommodated and maintained in the royal palace, and shall have at his disposal the sum of 200,000 florins.

21. The regency ceases with the minority of the King, or with the



cause which renders him incapable of reigning.

22. As soon as the regency shall be terminated, and the King shall have given his oath, the acts of the regency shall be immediately closed, and the accession of the King shall be announced throughout the whole extent of the kingdom.

**TITLE III.—Of the Domain of the State.**

(This title relates entirely to local and feudal regulations.)

**TITLE IV.—Of General Rights and Duties.**

**Art. 1.** Citizenship is a necessary condition for the full exercise of civil and political rights in Bavaria. The organic law, or the supplement No. 1. determines how citizenship is acquired, whether by birth or by naturalization.

2. The loss of citizenship is followed by the loss of political rights.

3. A domicile in the country is declared a condition necessary for exercising the rights of a citizen.

4. Native or naturalized subjects can alone obtain places as dignitaries of the crown, the great offices at court, the high stations in the army, the posts of civil administrators, ecclesiastical dignities and benefices.

5. Every Bavarian without distinction may obtain all civil, military, and ecclesiastical places and benefices.

6. Conformably to the edict of 3d August, 1808, there cannot exist, through the whole extent of the kingdom, any species of personal slavery.

7. All unlimited *corvées* must be changed into personal services; they may even be always exchanged for money.

8. The state secures to every inhabitant the safety of his person, of his property, and of his rights. No man can be withdrawn from his ordinary judge. No man can be arrested or

prosecuted, unless according to the forms prescribed by law. No one can be forced to yield his property for the public service, unless after the decision of the assembled council of state, and after having previously received an indemnity.

9. Entire liberty of conscience is secured to each inhabitant. Domestic worship, of whatever religion it may be, cannot be forbidden. The three Christian communions, existing in the kingdom, enjoy equal civil and political rights. The communities not Christian shall enjoy entire liberty of conscience; but they shall possess only that portion of political rights which shall have been granted by the laws, in virtue of which they have been admitted into the political society. The property of pious foundations is guaranteed to all religious communions without exception, conformably to the acts and statutes of foundation. The ecclesiastical power can never be fettered in the sphere of its proper functions, and the civil government shall interfere in no manner in subjects which concern doctrine and conscience; nevertheless, no ordinance or law shall be published by the ecclesiastical power, without the permission of the government, invested with the power of supreme inspection.

10. This article places the establishments destined for worship, instruction, and beneficence, under the special protection of the state. Public foundations cannot be alienated but with the consent of the States-General.

11. The liberty of the press, and of the book trade, is guaranteed according to the determinations comprehended in the organic law.

12. and 13. These establish equality of duty in regard to military service, to the land-tax, and to the payment of taxes, without regard to old exceptions.

•14. Every Bavarian, having satisfied the laws, may establish himself in another German state, and accept a service there. He cannot receive from a foreign power either pension or decoration, without the express permission of the King.

**TITLE V.—Of special Rights and Privileges.**

(The articles of this title are local and technical. The nobility are still allowed some seigniorial rights and privileges.)

**TITLE VI.—Of the Assembly of the States-General.**

Art. 1. The Assembly of the States consists of two Chambers; that of the Senators of the Kingdom, and that of the Deputies.

2. The Chamber of Senators is composed, 1. Of the princes of the royal family who are major. 2. Of the dignitaries and officers of the crown. 3. Of the two archbishops. 4. Of the heads of the ancient families of princes and counts who formed the States of the German empire: they shall be senators of the kingdom by hereditary succession, as long as they shall remain in possession of their ancient imperial seignories situated in the kingdom. 5. Of a bishop, named by the King, and each actual president of the general Protestant consistory. 6. Of persons whom the King, either on account of their birth or their fortune, or in consideration of distinguished services which they shall have rendered to the State, shall name specially to be members of this council, by hereditary right, or during life.

3. The hereditary right, specified in the preceding article, can pass only to those who possess the plenitude of civil and political rights, and property, either feudal or in trust, paying at least 300 florins of land tax.

4. The number of senators for life

cannot exceed the third of the hereditary senators.

5. The hereditary senators enter the chamber at the period of their majority; the princes shall have a vote only at twenty-one, and the other senators at twenty-five.

•6. The Chamber of Senators cannot open till there shall be at least half the members present.

7. The second Chamber of the States is composed of landed proprietors who exercise on their estates a seigniorial jurisdiction, and who have no right to sit and vote in the first Chamber; of deputies of the universities; of members of the catholic and protestant churches; of deputies of the cities and towns, or of proprietors who are not comprehended among any of those above designated.

8. The number of the members is regulated according to that of the families of the kingdom, in the proportion of one deputy to seven thousand families.

9. Of the number thus determined, the class of noble proprietors shall furnish an eighth; that of ecclesiastics, Catholic and Protestant, also an eighth; the class of the cities and towns a fourth; the class of the other proprietors who have no seigniorial rights, half of the number of deputies, and each of the three universities a member.

10. A special edict distributes the number of deputies among each district in the kingdom.

11. Each class elects separately the number of deputies assigned to it, according to the forms pointed out to it in the edict; the deputies are elected for six years, and when one of them dies during that period, he who had, next to him, the greater number of votes, comes in his place.

12. The deputies must be citizens in their own right, without regard to their relations as servants of the State;

they must possess, in the district, the free enjoyment of a property sufficient for their independent livelihood, conformably to the proportions founded upon taxation, and marked in the organic edict; they must have completed thirty years. The deputy ought to belong to one of the three Christian communions. He must never have undergone a criminal or correctional prosecution, without having been completely acquitted.

13. There shall be a new election of deputies every six years, as well as in the case when the King shall have dissolved the Chambers. The members going out may be re-elected.

14. When a member, during the continuance of his functions, loses either the property, the seigniorial rights, the ecclesiastical benefice, or the branch of industry, which rendered him susceptible of being elected, and without which he cannot remain deputy, this member, after a deliberation of the Chamber, and after being heard in his defence, shall be excluded from the Assembly.

15. The Chamber cannot be constituted till there be at least two thirds of the members present.

16. The session of the Chamber of Senators opens and closes at the same time as that of the Chamber of Deputies.

17. The members of both Chambers cannot supply their place by substitutes.

18. The proposal of a tax is made first in the Chamber of Deputies, and is sent by it to the Chamber of Senators. Every other subject may be indiscriminately proposed in either Chamber, according to the orders of the King.

19. None of the subjects submitted to the deliberation of the two Chambers can be discussed exclusively in one of them, and the decision of a single Chamber has never the effect of a consent of the States-General.

## TITLE VII.—Of the Functions of the Assembly of the States General.

Art. 1. The two Chambers can deliberate only upon subjects belonging to the sphere of their action, and specified in the following articles:—

2. Without the deliberation and assent of the States of the kingdom, no law can be rendered general which concerns the liberty of persons or property in the subjects of the State, nor can any of those already subsisting be changed or revoked, without giving an authentic explanation of it.

3. The King requires the consent of the States to impose all the direct taxes, as well as the new indirect taxes, and to augment or change those that exist.

4. Immediately after the opening of the session, there shall be placed under the eye of the States-General, a budget, or a view of all the wants and all the receipts of the State. This view shall be examined by a committee, and then the States-General shall deliberate on the taxes to be levied.

5. The direct imposts necessary to cover the ordinary expenses, previously fixed or foreseen, comprehending the funds of reserve, shall be voted each time for six years. In order to avoid a financial stagnation, the taxes shall continue to be paid during the year in which the first Assembly of the States-General shall have been called, on the same footing as they have been paid the preceding year.

6. A year before the period for which the fixed expenses shall have been voted, and consequently six years from this, the King submits to the States-General the budget for the six following years.

7. In case the King should be prevented, by external and extraordinary circumstances, from calling the States-General in the last year of this usual

period of voting taxes, he has the right of continuing to levy during six years those last voted.

8. In case an extraordinary and unforeseen want should render the ordinary revenue of the State insufficient, the King shall demand from the States-General their consent to extraordinary contributions.

9. The States-General can annex no condition to their votes of supply.

10. The States shall be each session exactly informed of the employment of the revenues of the State.

11. The whole of the public debt is placed under the guarantee of the States-General. Their consent is necessary to augment it, either in capital or annuities.

12. An augmentation of the public debt cannot take place; unless in case of urgent necessity, not to overload the people with taxes, and to cover expenses truly useful.

13. The plan for extinguishing the debt is submitted to the States-General, and cannot, without their consent, be changed, nor the funds turned to other uses.

14. Each Chamber shall name a Commissioner, who shall assist the royal commission for liquidation of the debt, shall take cognizance of its acts, and watch that it follows the established rules.

15. In case of dangers threatening from without, when it shall be indispensable to raise a capital sum, and when external circumstances render the convocation of the States-General impossible, the two Commissioners shall have the right of giving, in the name of the States, their provisional consent to these loans; but the affair must be submitted to the State before the debt is inscribed in the Register of the State.

16. The situation of the sinking fund shall be exactly reported to the States-General each session.

17. The destination of public foundations cannot be changed, nor domains or annuities granted by the State without the consent of the States-General.

18. The States-General have the right of submitting to the King their wishes and propositions, in a suitable form, with relation to all the objects comprehended within the sphere of their action.

20. Each deputy has the individual right of submitting to the Chamber his wishes and proposals relative to those subjects. The Chamber decides by the majority of votes, if the proposal ought to be taken into consideration; and, in the affirmative case, sends it to the consideration of a committee. The resolutions of one Chamber must always be communicated to the other, and cannot be presented to the King till the other chamber has consented.

21. Every citizen, and every commune, may address to the Assembly of the States-General, or to each Chamber, remonstrances upon the violation of constitutional rights. The Chamber causes them to be examined by the committee to whom this task is entrusted, and takes them into consideration if recommended by the committee. The Chamber, if it finds the remonstrances well founded, communicates its resolution to the other Chamber, and when the latter consents, the joint resolution of the two Chambers is presented to the monarch.

22. The King shall assemble the States-General at least once every three years. The King opens the session in person, or by a special Commissioner. The sessions ought not regularly to last above two months. The States are obliged to deliberate, first of all, upon the subjects proposed by the King.

23. The King has the right, at all times, of prolonging or adjourning

the session, and of dissolving the assembly. In this last case, a new election of the Chamber of Deputies shall take place, at latest, in three months.

24. The ministers of State may be present at the sittings of the two Chambers, even in case of their not being members.

25. Each member of the States-General takes the following oath:—  
“I swear before God, and upon his Holy Gospel, fidelity to the King, obedience to the law, and the maintenance of the Constitution; I shall have in view, in the Assembly of the States, only the general good of the kingdom, without any regard to particular classes or orders, conformably to my intimate conviction.”

26. No member of the States-General can be arrested during the continuance of the sessions, without the consent of the Chamber to which he belongs, unless in case of flagrant crime.

27. No member is responsible for the opinion he shall have given at the sitting, unless it be to the Chamber, itself, and conformably to its regulations.

28. Any subject on which the two Chambers have differed, cannot be brought under deliberation anew during the session.

29. The royal resolution upon the propositions of the States-General shall be given, not singly upon each proposition, but upon the whole together, at the end of the session.

30. The King alone sanctions the laws, and promulgates them under his signature.

31. During an adjournment, after the close of the session, or after a dissolution, the members can no longer hold any legal deliberation.

#### TITLE VIII.—*Of the Administration of Justice.*

Art. 1. Justice emanates from the

King; it is administered in his name by bailiages, or superior courts, in a series of instances determined by the law.

2. All the tribunals are obliged to annex to their sentences the motives on which they are founded.

3. The tribunals are independent within the limits of their functions, and no judge can be deposed with loss of his salary unless in virtue of a judgment.

4. The King, in criminal affairs, can pardon, by mitigating or remitting the punishment, but he can never stop a process that has been begun.

5. The royal Exchequer, in every affair which interests the rights of a private individual, shall plead before the ordinary royal tribunals.

6. The confiscation of goods is abolished, unless in case of de

7. There shall be one civil and penal the whole kingdom.

#### TITLE IX.—*Of the Military Organization.*

Art. 1. Every Bavarian is obliged to co-operate in defence of the country, conformably to the laws. Ecclesiastics are excepted from the duty of bearing arms.

2, 3, 4, 5. These articles contain the descriptions of the army, the reserve, and the land-wehr. The reserves, with the exception of the force destined to exercise, are only subjected to civil laws; they can marry and settle when they please. The land-wehr can be employed only in the interior.

6. No military force can act unless upon the requisition of the competent civil authority.

7. The troops, in affairs regarding the service, as well as in case of crime, are subjected to military tribunals; in civil and mixed affairs they are brought before the ordinary tribunals.

**TABLE X.—Of the Guarantee of the Constitution.**

Art. 1, 2, 3, 4. Oaths to be taken by the King, his subjects, and ministers.

5. The States-General have the right of making remonstrances to the King upon the violation of the constitution by the ministry, or by any other authority: the King shall presently remedy it; or if the case appears to him doubtful, he shall make the affair be examined and decided, according to its nature, by the Council of State, or by the Supreme Tribunal.

6. If the States-General believe themselves obliged, by their duty, to present an accusation against a great functionary of the State, on account of a violation of the Charter, premeditatedly committed, the heads of the accusation must be stated with precision, and examined by each Chamber in a special committee. If the two Chambers agree in the accusation, they shall present it to the King with the proofs. The King sends the decision to the Supreme Tribunal, within which there shall be formed, on the demand of the accused, a court, serving as a court of appeal. The King shall inform the States-General of the definitive judgment.

7. No changes or additions can be made to the Constitution without the consent of the States. The King alone has the right to propose them, and the States can only deliberate upon the royal proposition. To form a decision upon so important an affair, requires the presence of at least three fourths of the members of each Chamber, and a majority of two thirds.

**CONSTITUTIONAL CHARTER OF THE GRAND DUCHY OF BADEN.**

*(Principle First.)*

THE civil rights of the people of  
VOL. XI. PART I.

Baden are equal in every respect where in the Constitution does not particularly and expressly make an exception.

The Grand Ducal Ministers of State, and the whole of the administration, are responsible for their strict obedience to the Constitution.

All Badenese contribute, without distinction, to all public charges. All exemptions from direct or indirect taxes are repealed.

All citizens of the three Christian confessions have equal claims to all civil and military appointments, and all ecclesiastical offices.

With respect to personal liberty and property, all Badenese are placed on an equal footing under the protection of the Constitution.

The tribunals are independent within the limits of their competency.

In criminal affairs, no man can be withdrawn from his regular judges; no one can be arrested otherwise than according to the legal forms, nor detained more than 48 hours in prison, without a hearing on the grounds of his arrest.

The Grand Duke can mitigate or entirely annul sentences, but cannot render them more severe.

All confiscations of property are abolished.

The liberty of the press shall be exercised according to the future regulations of the Diet.

Every inhabitant enjoys undisturbed freedom of conscience, and equal protection with respect to his religious worship.

The political rights of the three Christian religions are equal.

The Representatives, or States, form two Chambers.

The First Chamber consists—1. Of the Princes of the Grand Ducal House. 2. Of the heads of the noble families of the former States.—3. Of the Bishop of the Grand Duchy, and of a Protestant clergyman appointed for life

by the Grand Duke, with the rank of a Prelate.—4. Of eight deputies of the landed proprietors.—5. Of two deputies from the Universities.—6. Of persons named members by the Grand Duke, independently of any claim on the grounds of rank or birth.

The Second Chamber consists of 63 deputies from the towns and bailiwicks, returned according to the list of distribution annexed to this constitutional decree.

The deputies are to be chosen by eligible electors.

Whoever is an actual member of the first Chamber, or by the choice of the landed proprietors is qualified for electing or being elected to it, cannot either, by appointment of the electors, exercise the right of voting, or be chosen as elector or deputy for the towns or bailiwicks.

All remaining subjects, of 25 years of age, who are domiciled as citizens in the electoral district, or are invested with a public office, obtain, by the choice of the electors, the right of suffrage and eligibility.

The deputies for the towns and bailiwicks are to be nominated for eight years, but so that one-fourth of the Chamber shall be renewed every two years.

Every new election of a deputy, which may become necessary on account of the dissolution of the assembly, or the regular vacation of members, requires a new nomination of electors.

Every member, on vacating his seat, is again eligible.

Each Chamber decides respecting the due election of its own members.

The Grand Duke convokes, prorogues, and can dissolve the Chambers.

Should the dissolution take place before the question under consideration is exhausted, a new election must follow within the period of three months at the latest.

The Grand Duke appoints the President of the First Chamber for each Diet; the Second Chamber chooses three candidates for the Presidency, the election of one of whom is ratified by the Grand Duke for the duration of the Diet.

A Diet must be held every two years.

The members of neither Chamber can vote by proxy.

The members are summoned to vote according to their own conviction. They must receive no instructions from their constituents.

During the session of the Diet, no member can be arrested, without the express permission of the Chamber to which he belongs.

The Diet can only discuss the subjects referred to its deliberation by the present fundamental law, or especially brought under its consideration by the Grand Duke.

No tax can be imposed or levied without the consent of the Chambers.

The revenue law will be regularly passed for two years. Such duties, however, as in consequence of contracts are appropriated for a longer time, can undergo no alteration before the expiration of such contracts.

Along with the plan of the revenue law will be given the State budget, and a detailed view of the application of the sums granted for the previous years. No charge shall be made for secret expenditure, without a written assurance from the Grand Duke, countersigned by the State Ministry, to certify that the sums are, or shall be applied for the real interests of the State.

The Chambers cannot annex conditions to the levying of taxes.

No loan can be legal without the concurrence of the Chambers, except however those loans by which fixed receipts are anticipated for fixed expenditures as well as the revenues of

the Sinking Fund, which, according to its fundamental laws, are applied to that object.

The Civil List cannot be increased without the consent of the Chambers, nor diminished without the permission of the Grand Duke.

All plans of law relating to finance must, in the first place, be submitted to the Second Chamber; and if adopted there, must, without alteration, be laid before the First Chamber, to be finally accepted or rejected.

If the majority of the First Chamber should not agree to the decision of the Second, the assenting and dissenting voices of both Chambers must be added together, and the result decided by the majority of the united voices.

Old and not permanent taxes, must be continued for six months after the stipulated time, if the Diet be dissolved before a new budget can be brought forward, or if the State deliberation be delayed.

During preparations for war, or whilst a war is carrying on, the Grand Duke, for the speedy and effectual fulfilment of his federal duties, and even before he has obtained the consent of the Diet, may legally levy loans and war-taxes. In that case, the Diet will exercise a great influence and co-operation in the administration, for two members of the Representative Commission will be appointed to watch, that the sums raised for carrying on the war be really and exclusively applied to that purpose.

No law concluded in the Constitutional Act can be extended or altered without the consent of a majority of two-thirds of the members present of both Chambers.

In all other laws concerning the freedom of persons, or relative to State property, new general laws, or the alteration or the promulgation of the existing laws, the consent of the major-

ity of each of the two Chambers is requisite.

The Grand Duke ratifies, and promulgates the laws, and orders all that is necessary for their execution and maintenance.

The Chambers are allowed to make representations respecting ordinances, in which dispositions have been introduced, which they consider inimical to their right of consent, and which shall, on the complaints being known, be immediately rendered ineffectual. On stating grounds to the Grand Duke, they can solicit the proposal of a law. They have a right to point out to the Government abuses in the administration, which come within their knowledge. They have the right of lodging formal complaints against ministers and members of the superior offices of State, for violations of the Constitution, or of acknowledged Constitutional privileges. A particular law shall determine the nature of the complaint, the degree of the punishment, and the deciding authority.

Complaints of individual citizens concerning the violation of their Constitutional privileges, cannot be received by the Chambers, except in writing; and then not accepted, unless the complainant shall prove that he has in vain appealed for redress to the proper local jurisdictions, and lastly to the Ministry of State.

No representation or complaint can be brought before the Grand Duke, without the consent of the majority of each of the two Chambers.

The order whereby the deputies of the landed proprietors, the towns, and the bailiwicks, go out, is determined by lot in the first meeting of the Diet. One half of the territorial deputies vacate their seats in the year 1823, and one half every subsequent four years. In 1821, one-fourth of the deputies of the towns or bailiwicks are excluded,



and, afterwards, one-fourth every two years.

In the first elections, all contests respecting the validity of the returns, will be determined by the Government Central Commission, which is charged with the execution of the Constitutional Law.

The opening of the first Diet will take place on the 1st of February, 1819.

At the opening of the Diet, when the Constitution is put in activity, the existing state of things in all branches of administration and legislation will continue, till measures be taken on these subjects, in concert with the Diet. The first budget will, in particular, be provisionally executed.

The present Constitution is placed under the guarantee of the German Confederation.

### ACCOUNTS RELATING TO PROSECUTIONS FOR FORGING BANK OF ENGLAND NOTES.

1.—An account of the Number of Persons prosecuted for Forging Notes of the Bank of England, and for uttering or possessing such Notes knowing them to be forged; from the 1st of January, 1816, to the 25th of February, 1818; distinguishing the Years, and the Number convicted and acquitted of such Offences respectively.

Year.	Capital Punishments.	Convictions for having forged Bank Notes in possession.	Acquittals.	Total Number Prosecuted.
1816.....	20	84	16	120
1817.....	32	95	15	142
1818..... to Feb. 25 }	4	21	1	26

2.—An Account of the Number of Persons prosecuted for Forging Notes of the Governor and Company of the Bank of England, and for uttering such Notes knowing them to be forged, during the 14 Years preceding the Suspension of Cash Payments by the Bank in February 1797; distinguishing the Years.

Year.	Capital Convictions.	Acquittals.	Total.
1783.....	nil.		
1784.....	2		2
1785.....	nil.		
1786.....			
1787.....	1		1
1788.....		1	1
1789.....			
1790.....	nil.		
1791.....			
1792.....			
1793.....			
1794.....			
1795.....			
1796.....			

3.—An Account of the Number of Persons prosecuted for Forging Notes of the Governor and Company of the Bank of England, and for knowingly uttering or possessing such Forged Notes, knowing them to be forged, since the Suspension of Cash Payments by the Bank in February, 1797, to the 25th of February, 1818; distinguishing the Years, and the Numbers convicted and acquitted.

Year.	Capital Convictions.	Convictions for having forged Bank Notes in possession.	Acquittals.	Total Number Prosecuted.
1797.....	1	—	1	2
1798.....	11	—	1	12
1799.....	19	—	3	22
1800.....	29	—	15	44
1801.....	32	1	21	54
1802.....	32	12	19	63
1803.....	7	1	1	9
1804.....	13	8	4	25
1805.....	10	14	4	28

## TOTAL NUMBER OF FORGED BANK NOTES.

Year.	Capital Convictions.	Convictions for having forged Bank Notes in possession.	Acquittals.	Total Number Prosecuted.
1806.....	—	9	1	10
1807.....	16	24	5	45
1808.....	9	23	2	34
1809.....	25	29	16	68
1810.....	10	16	3	29
1811.....	5	19	9	33
1812.....	26	26	12	64
1813.....	9	49	7	65
1814.....	5	39	8	77
1815.....	7	51	5	63
1816.....	30	84	16	120
1817.....	32	95	15	142
1818... } to 25 Feb. }	4	21	1	26

21st April, 1818.

JOSEPH KAYE,  
Solicitor to the Bank of England.

An Account of the total Number of Forged Bank Notes, discovered by the Bank to have been Forged, by presentation for Payment, or otherwise, from 1st January, 1812, to 10th April, 1818; distinguishing each Year, and also distinguishing the Number of Notes of L.1, of L.2, of L.5, of L.10, of L.20, and above L.20, in Value.

Year.	Number of Notes of L.1.	Number of Notes of L.2.	Number of Notes of L.5.	Number of Notes of L.10.	Number of Notes of L.15.	Number of Notes of L.20.	Number of Notes above L.20.	Total Number.
In 1812.....	12,255	4,261	1,125	205	-	34	5	17,885
1813.....	11,347	3,097	827	38	-	4	2	15,315
1814.....	10,342	3,320	1,011	38	-	10	1	14,722
1815.....	14,085	2,829	806	41	2	1	1	17,765
1816.....	21,860	2,141	795	24	-	5	21	24,849
1817.....	28,412	1,839	875	53	-	-	2	31,180
1818 } to 10 April )	8,937	330	907	21	-	-	-	9,645
	107,238	17,787	5,826	419	2	54	35	131,361

Bank of England, }  
13th May, 1818. }H. HASE,  
Chief Cashier.

## STATEMENTS RELATIVE TO THE OPERATION OF THE CRIMINAL LAWS OF ENGLAND.

*Number of Persons committed to the Different Gaols in England and Wales, for Trial at the Assizes and Sessions held for the several Counties, Cities, Towns, and Liberties therein, from the Year 1812 to the Year 1817, both inclusive.*

Committed for Trial.	1812.	1813.	1814.	1815.	1816.	1817.
Males .....	4,891	5,433	4,826	6,036	7,847	11,768
Females .....	1,085	1,731	1,564	1,782	1,744	2,174
Total.....	6,076	7,164	6,390	7,818	9,091	13,932
Convicted and Sentenced.						
To Death .....	532	713	558	553	690	1,303
Transportation for Life .....	25	50	53	30	60	103
Fourteen years .....	67	95	78	91	133	187
Seven years .....	588	622	625	820	861	1,474
Imprisonment (for various terms) .....	2,500	2,759	2,574	3,218	3,063	5,700
Whipping and fine .....	195	183	137	154	190	320
Convicted .....	2,913	4,422	4,025	4,863	5,797	9,056
Acquitted .....	1,494	1,451	1,373	1,648	1,884	2,078
No Bill found, and not prosecuted .....	1,169	1,291	992	1,207	1,410	2,198
Total .....	6,576	7,164	6,390	7,818	9,091	13,932
Of whom were executed .....	82	120	70	67	95	115
<i>Offences for which the Executions took place.</i>						
Arson, & other wilful burning of property	5	3	3	1	2	4
A bankrupt concealing his effects .....	—	1	—	—	—	—
Burglary and housebreaking .....	15	39	8	10	19	18
Cattle, maliciously killing .....	1	—	—	—	—	—
Coining .....	—	1	—	—	—	—
Forgery, and uttering forged instruments	23	17	6	11	10	18
Horse-stealing .....	3	4	3	1	—	—
Larceny in a dwelling-house, to the value of 40s. ....	—	—	2	—	3	1
Larceny on a navigable river, to the value of 40s. ....	3	—	—	—	2	—
Letters, containing bank-notes, secret- ing and stealing .....	—	1	—	—	—	—
Mail robbery .....	—	2	—	—	—	—
Murder .....	16	25	23	15	21	25
—, shooting, stabbing, and admin- istering poison, with intent to ....	3	2	2	1	4	12
Piracy .....	—	—	—	—	4	—
Robbery on the person on the high- way, and other places .....	6	12	11	7	16	19
Rape .....	3	4	3	7	4	5
Riot, and feloniously demolishing buildings .....	—	5	—	—	—	—
Sheep-stealing .....	—	2	3	3	—	5
Sodomy .....	1	1	5	1	2	1
Treason, high .....	2	1	—	—	—	3
Trees growing, maliciously cutting down	—	—	1	—	—	—
Proportion of capital convictions, to the number committed for trial, in each year,—about .....	1 in 12	1 in 14	1 in 13	1 in 14	1 in 10	1 in 10
Proportion of executions, to the number capitally convicted, in each year,—about .....	1 in 6	1 in 6	1 in 9	1 in 9	1 in 9	1 in 11

*Number of Persons committed for Trial to the different Gaols in England and Wales, from the Year 1809 to the Year 1817, both inclusive.*

	1809.	1810.	1811.	1812.	1813.	1814.	1815.	1816.	1817.
Anglesea .....	1	1	1	—	2	2	2	4	1
Bedford .....	17	22	27	17	34	27	28	43	44
Berks .....	48	55	63	108	79	83	77	103	146
Brecon .....	2	5	5	5	13	11	15	8	48
Bucks .....	37	47	37	39	64	47	50	65	75
Cambridge .....	29	19	21	34	45	37	64	71	98
Cardigan .....	—	3	3	4	1	4	7	—	14
Carmarthen ...	1	10	11	10	6	6	12	17	14
Carnarvon .....	3	2	5	2	8	3	12	3	10
Chester .....	130	83	99	155	146	136	160	187	285
Cornwall .....	30	38	31	45	42	39	54	84	120
Cumberland ..	33	32	17	53	42	23	28	51	89
Denbigh .....	5	9	8	7	11	10	5	15	31
Derby .....	46	37	37	60	71	38	57	60	165
Devon .....	148	147	152	179	197	235	264	294	380
Dorset .....	42	37	44	47	65	43	62	81	122
Durham .....	53	35	37	33	33	35	49	55	87
Essex .....	151	163	130	152	221	174	191	236	319
Flint .....	2	5	2	3	4	3	6	7	20
Glanorgan .....	6	12	18	13	26	20	15	22	50
Gloucester .....	103	125	109	155	175	139	187	243	442
(Bristol) .....	56	49	168	78	68	70	98	104	166
Hants .....	199	106	57	234	206	228	217	268	578
Hereford .....	40	47	66	83	79	61	54	87	174
Herts .....	41	64	50	109	64	61	80	81	123
Huntingdon ...	9	4	8	11	18	21	23	15	13
Kent .....	212	224	210	231	330	260	327	325	528
Lancaster .....	532	563	661	831	830	816	959	1,212	1,943
Leicester .....	51	55	57	65	77	42	71	125	170
Lincoln .....	75	68	65	84	102	116	156	183	232
Merioneth .....	—	1	2	2	5	1	3	6	9
Middlesex .....	1,443	1,434	1,432	1,663	1,707	1,646	2,005	2,226	2,686
Monmouth .....	15	17	13	21	18	26	24	19	59
Montgomery ...	12	14	15	13	18	8	9	14	49
Norfolk .....	129	118	3	137	162	119	185	244	310
Northampton ...	35	31	51	54	65	60	81	75	145
Northumberland	57	57	71	31	73	68	69	88	80
Nottingham ...	93	67	78	103	92	88	121	112	191
Oxford .....	55	32	31	59	70	56	66	85	118
Pembroke .....	2	8	7	12	8	8	19	18	29
Radnor .....	4	9	6	5	6	2	3	13	13
Rutland .....	4	2	5	4	9	1	11	12	9
Salop .....	67	60	79	53	92	69	90	96	267
Somerset .....	124	118	108	201	153	139	221	244	439
Stafford .....	109	134	126	130	181	118	154	192	425
Suffolk .....	134	116	98	146	144	119	146	153	262
Surrey .....	218	243	206	296	279	255	294	366	491
Sussex .....	65	66	74	95	116	66	104	120	189
Warwick .....	185	169	176	177	263	224	277	341	624
Westmoreland	6	1	5	9	8	6	13	18	14
Wilts .....	81	78	73	78	122	78	108	107	229
Worcester .....	74	66	84	304	109	104	130	128	239
York .....	316	248	206	294	405	337	355	420	748
Total ...	5,330	5,146	5,337	6,576	7,164	6,390	7,818	9,071	13,932

*Number of Persons who were Capitally Convicted, and of those who were Executed, in London and Middlesex, in every Tenth Year, from the Year 1749 to the Year 1817, both inclusive; together with a Statement of the Offences for which the Executions took place, so far as the same can be ascertained.*

	1749.	1759.	1769.	1779.	1789.	1799.	1800.	1817.
Capitally convicted	61	15	71	60	97	72	89	208
Number executed	44	6	24	25	26	24	8	16
<i>Offences for which the Executions took place.</i>								
Burglary and house-breaking	6	—	3	—	11	4	1	4
Coining	3	—	—	3	7	—	—	—
Forgery, and uttering forged Instruments	2	1	3	—	1	8	2	5
Horse-stealing	2	1	—	—	1	—	—	—
Larceny in a dwelling-house	—	—	2	—	—	1	—	1
Ditto, on a navigable river	—	—	—	—	—	2	—	—
Letters, containing bank-notes, &c. secreting and stealing	—	—	—	—	—	1	—	—
Murder	1	1	2	—	2	3	—	1
—, shooting, stabbing, and administering poison	—	—	—	—	—	2	1	—
Personating others to obtain prize-money, &c.	—	—	—	—	—	—	1	—
Robbery on the person on the highway	24	3	10	—	4	3	—	4
Rape	—	—	1	—	—	—	2	1
Sodomy	—	—	—	—	—	—	1	—
Transports, being at large, &c.	1	—	3	—	—	—	—	—

## VI.—LISTS.

### NEW PUBLICATIONS, FOR 1818.

#### AGRICULTURE.

The Farmer's Magazine, Nos 74, 75, 76, 77 3s each

An Essay on Agriculture, to which is added, a Memoir, drawn up at the express desire of his Imperial Highness the Archduke John of Austria on the Nature and Nutritive Qualities of Fescue Grass &c By W Richardson, D.D

Consideration respecting Cambridge, more particularly relating to its Botanical Professorship By Sir James Smith, M.D F.R.S 8vo. 2s. 6d.

Letters and Papers on Agriculture, Planting &c selected from a Correspondence of the Bath and West of England Agricultural Society. Vol. XIV. 8vo. 7s 6d

A Survey of the Agriculture of Eastern and Western Flanders, made under the Authority of the Farming Society of Ireland. By the Rev. T. Radcliffe. 8vo. 12s. 6d.

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ments in the apparatus or utensils  
used for distillation, evaporation, and  
condensation; and that the same are  
new in this country.

*Richard Ormrod*, for an improve-  
ment in the manufacturing of cop-  
per, or other metal-cylinders or roll-  
ers for calico-printing.

*Urbanus Sartorius*, for an improve-  
ment in the method of producing ig-  
nition in fire-arms, by the condensa-  
tion of atmospheric air.

*Henry Creighton*, for a new me-  
thod of regulating the admission of  
steam into pipes or other vessels used  
for the heating of buildings or other  
places.

*Samuel Clegg*, for an improved ga-  
zometer, or gasholder.

*Richard Blakemore*, and *John James*,  
for a new kind of plate, which they de-  
nominate *Armophony Metal Plates*.

*Joseph Manton*, for certain primers  
for fire-arms; and also certain im-  
provements in the construction of  
certain of the parts of fire-arms.

*John Malam*, for certain improve-  
ments on steam-engines.

*James Hollingrake*, for a method of  
making or manufacturing copper or  
other metal rollers for calico-print-  
ing.

## LIST

OF

THE MEMBERS ELECTED TO SERVE IN THE NEW  
PARLIAMENT.*Those marked thus \* are New Members.*

Abingdon, Berkshire . . .	John Maberly.
Agmondesham, Bucks . . .	Thomas Tyrwhitt Drake; William Tyrwhitt Drake.
Albans, St. Herts . . .	William Tierney Roberts; *Hon. Charles Spencer Churchill, commonly called Lord Charles Spencer Churchill.
Aldborough, Yorkshire . . .	Henry Fines; Granville Venables Vernon.
Aldeburgh, Suffolk . . .	*Sam. Walker; *Joshua Walker.
Andover, Hants . . .	*T. A. Smith; Hon. N. Fellowes.
Angleseyshire . . .	Hon. B. Paget.
Appleby, Westmoreland . . .	*G. Fludyer; *L. Concannon.
Arundel, Sussex . . .	H. T. H. M. Howard, commonly called Lord Henry Thomas Howard Molyneux Howard; Sir A. Pigot, Knight.
Ashburton, Devonshire . . .	*Sir L. V. Falk, Bart.; J. S. Copley.
Aylesbury, Bucks . . .	Right Hon. George Baron Nugent; *W. Rickford.
Banbury, Oxfordshire . . .	Hon. F. S. N. Douglas.
Barnstaple, Devonshire . . .	Sir M. M. Lopes, Bart; *F. M. Ommanney.
Bath . . .	Lord John Thynne; Col. Palmer.
*Beaumaris, Anglesey . . .	T. F. Lewis.
Bodfordshire . . .	F. Russell, commonly called Marquis of Tavistock; J. Osborn.
Bedford . . .	George William Russell, commonly called Lord George William Russell; *William Henry Whitbread.
Bedwin, Wilts . . .	Sir John Nicholl, Knight; *John Jacob Muxton.
Borlston, Devonshire . . .	Right Hon. G. Percy, commonly called Lord Lovaine; Hon. Captain J. Percy.
Berkshire . . .	G. Dundas; Hon. B. Neville.
Berwick, Northumberland . . .	A. Allan; H. H. St Paul.
Beverley, Yorkshire . . .	J. Wharton; *R. C. Burton.
Bewdley, Worcestershire . . .	*W. A. Roberts, jun.
Bishop's Castle, Salop . . .	W. Clive; J. Robinson.

Blechingly, Surrey . . .	M. Russell; *G. Tennyson.
Bodmin, Cornwall . . .	D. Gilbert, T. Braddyll.
Boroughbridge, Yorkshire . .	*M. Lawson; *G. Mundy, Captain in the Royal Navy.
Boswilly, Cornwall . . .	J. A. S. Wortley; Sir C. Domville, Bart.
Boston, Lancashire . . .	Hon. P. R. D. Burrell, William A. Madocks.
Brachley, Northampton . .	R. H. Bradshaw, H. Wrottesley.
Bramber, Sussex . . .	W. Wilberforce; J. Irving.
Brenconshire . . .	T. Wood, jun.
Briçon . . .	G. Gould Morgan.
Bridgenorth, Shropshire . .	T. Whitmore, *Sir T. J. Tyrwhitt Jones, Bart.
Bridgewater, Somerset . .	G. Peacock; W. T. Astell.
Bridport, Dorsetshire . .	Sir H. D. C. Saint Paul, Bart.; H. C. Sturt.
Bristol . . .	R. H. Davis; E. Protheroe.
Buckinghamshire . . .	*The Right Hon. R. Plantagenet Greville Nugent Chandos Temple, commonly called Earl Temple, W. S. Lowndes.
Duckingham . . .	*Sir G. Nugent, Bart.; W. H. Fremantle.
Callington, Cornwall . . .	The Hon. K. P. Lygon, *Sir C. Robinson, Knight.
Calne, Wiltshire . . .	The Hon. J. Abbercromby, J. Macdonald.
Cambridgeshire . . .	Lord F. Osborne; Lord C. S. Manners.
Cambridge, University . .	The Right Hon. Henry Lord Viscount Palmerston; J. H. Smyth.
Cambridge, Borough . . .	Lieutenant-General the Hon. E. Finch; General R. Manners.
Canelford, Cornwall . . .	*M. Milbank; J. B. Maitland.
Canterbury . . .	S. R. Lushington; *The Hon. B. Bligh, commonly called Lord Clifton.
Cardiff, Glamorganshire . .	Patrick Stuart, commonly called Lord J. Stuart.
Cardiganhire . . .	W. E. Powell.
Cardigan . . .	Pryce Pryce.
Carlisle, Cumberland . .	J. C. Curwan; Sir J. Graham, Bart.
Cardmarthenshire . . .	Right Hon. Lord R. Seymour.
Cardmarthen . . .	Hon. J. F. Campbell.
Carnarvonshire . . .	Sir R. Williams, Bart.
Caru von . . .	Hon. C. Paget.
Castle-Rising, Norfolk . .	Hon. G. H. Cholmondeley, commonly called Earl of Rock Savage; Hon. Lieutenant-Colonel F. G. Heward.
Cheshire . . .	D. Davenport; W. Egerton.
Chester . . .	T. Grosvenor; *R. Grosvenor, commonly called Viscount Belgrave.
Chichester, Sussex . . .	Right Hon. C. Lennox, commonly called Earl of March; Right Hon. W. Huskisson.
Chippenharn, Wilts . . .	*W. Miles; *Right Hon. G. S. Churchill, commonly called Marquis of Blandford.
Christchurch, Hants . . .	Right Hon. G. H. Rose; Right Hon. W. S. Bourne.
Cirencester, Gloucester . .	Right Hon. H. G. Bathurst, commonly called Lord Apsley; J. Cripps.
Citherow, Lancashire . . .	Hon. R. Curzon; Hon. W. Cnst.
Cockermouth, Cumberland .	J. H. Lowther; *Right Hon. J. Beckett.
Colchester, Essex . . .	J. B. Waldman; *D. W. Harvey.
Corn Castle, Dorsetshire .	F. Banks; G. Banks.
Cornwall . . .	Sir W. Lemon, Bart.; H. Tremayne.
Coveutry, Warwickshire . .	P. Moore; *F. Ellice.
Cricklade, Wilts . . .	J. Pitt; R. Gordon.

Cumberland . . . . .	J. Lowther; Right Hon. G. Howard, commonly called Lord Viscount Morpeth.
Boroughs of Chilton, Dartmouth, and Hardness )	A. H. Houldsworth, J. Bastard.
Denbighshire . . . . .	Sir W. W. Wynn, Bart.
Denbigh . . . . .	J. W. Griffith.
Derbyshire . . . . .	Right Hon. G. A. H. Cavendish, commonly called Lord G. H. Cavendish; E. M. Mundy.
Derby . . . . .	H. F. C. Cavendish; T. W. Coke, the younger.
Devizes, Wilts . . . . .	T. G. Estcourt; *J. Pearce.
Devonshire . . . . .	E. P. Bastard; *Hon. H. Fortescue, commonly called Viscount Ebrington.
Dorsetshire . . . . .	W. M. Pitt; E. B. Portman.
Dorchester, Dorsetshire . . . . .	H. Williams; Sir S. Shephard.
Dover, Kent . . . . .	Sir J. Jackson, Bart.; E. B. Wilbraham.
Downton, Wilts . . . . .	Right Hon. W. P. Bouvier, commonly called Viscount Folkestone; Right Hon. Sir W. Scott, Knight.
Droitwich, Worcestershire . . . . .	W. P. Earl of Sefton; Hon. A. Foley.
Dunwich, Suffolk . . . . .	Right Hon. J. Lord Huntingfield; M. Barse.
County of Durham . . . . .	J. G. Lambton; Hon. W. J. F. Powlett.
City of Durham . . . . .	M. A. Taylor; R. Wharton.
East Loo, Cornwall . . . . .	Vice-Admiral Sir E. Buller, Bart.; T. P. Macquenn.
Edmundsbury, St Suffolk . . . . .	*Hon. H. Fitzroy, commonly called Earl of Euston; *Hon. A. P. Upton.
Essex . . . . .	J. A. Houlton; C. C. Western.
Exeter, Worcestershire . . . . .	H. Howorth; *W. E. R. Boughton.
Exeter . . . . .	W. Courtenay; R. W. Newman.
Eye, Suffolk . . . . .	Sir R. Gifford, Knight; M. Singleton.
Flintshire . . . . .	Sir Thomas Mostyn, Bart.
Flint . . . . .	Sir Edward Pryce Lloyd, Bart.
Powey, Cornwall . . . . .	George Lucy; Hon. J. H. Stanhope.
Gatton, Surrey . . . . .	*R. Dutton; *J. Fleming, M.D.
Germans, St, Cornwall . . . . .	*Hon. S. T. Bathurst; Right Hon. C. Arbuthnot.
Glamorganshire . . . . .	*J. Edwards.
Gloucestershire . . . . .	General the Right Hon. R. E. H. Somerset; Sir B. W. Gulse, Bart.
Gloucester . . . . .	E. Webb; *H. B. Cooper.
Grampound, Cornwall . . . . .	J. Lewis; A. Robertson.
Grantham, Lincolnshire . . . . .	Sir W. E. Welby, Bart.; *Hon. F. Cust.
Grimsby, Lincolnshire . . . . .	J. N. Fazakerly; *C. Tennyson.
Grinstead, Sussex . . . . .	Lord Strathmore; Hon. C. C. C. Jenkinson.
Guildford, Surrey . . . . .	A. Onslow; W. D. Best.
Hampshire . . . . .	W. Chute; T. F. Heathcote.
Harwich, Essex . . . . .	Right Hon. N. Vansittart; Right Hon. C. Bathurst.
Hastings, Surrey . . . . .	Right Hon. C. Long; R. Ward.
Hastings, Sussex . . . . .	James Dewkins; G. Holford.
Haverdwest, Pembrokeshire . . . . .	*W. H. Scourfield.
Hellestone, Cornwall . . . . .	*Hon. J. N. B. B. Townshend, commonly called Lord J. N. B. B. Townshend; Harrington Hudson.
Herefordshire . . . . .	Sir J. G. Cotterell, Bart.; Rob. Price.
Hereford, City of . . . . .	T. F. Symonds; Hon. J. E. Gledes.
Hertfordshire . . . . .	Hott. T. Brand; Sir J. S. Schright, Bart.
Hertford . . . . .	M. Calvert; Right Hon. J. D. W. Cecil, commonly called Lord Viscount Cranborne.
Herdon, Yorkshire . . . . .	Edm. Turner; *Rob. Farrand.
Heytesbury, Wilts . . . . .	*Hon. G. J. W. A. Ellis; *Hon. W. H. I. Scott.



Higham Ferrers, North	Win. Plumer.
Hindon, Wilts . . . . .	*Hon. R. G. Calthorpe; W. Beckford.
Honiton, Devonshire . . . . .	*Hon. P. F. Cust; *S. Crawley.
Horsham, Sussex . . . . .	Hob. Hurst; *G. R. Phillips.
Huntingdonshire . . . . .	*Right Hon. Lord F. Montagu; Wm. H. Fellowes.
Huntingdon . . . . .	*W. Aug. Montagu; J. Calvert.
Hythe, Kent . . . . .	*J. B. Taylor; Sir J. Perring, Bart.
Ilchester, Somersetshire . . . . .	Sir I. Coffin, Bart.; D. W. Mercer.
Ipswich, Suffolk . . . . .	R. A. Cuckitt; *W. Newton.
Ivcs, St, Cornwall . . . . .	*S. Stevens; Sir W. Stirling, Bart.
Kent . . . . .	Sir E. Knatchbull, Bart.; *W. P. Honeywood.
King's Lynn, Norfolk . . . . .	Hon. I. Walpole, commonly called Lord Walpole; Sir M. B. Folke, Bart.
Kingston-upon-Hull . . . . .	J. Mitchell; J. R. Gairraham.
Knaresborough, York . . . . .	Right Hon. G. Tierney; Sir J. Mackintosh, Knight.
Lancashire . . . . .	J. Blackburne, Right Hon. E. S. Stanley, commonly called Lord Stanley.
Lancaster . . . . .	G. Doveton; *J. Gladstone.
Launceston, Cornwall . . . . .	J. Brogden; Hon. B. P. Pellew.
Leicestershire . . . . .	Hon. R. Manners, commonly called Lord R. Man- ners; *C. M. Phillips.
Leicester . . . . .	*J. Mansfield; *T. Pares, jun.
Loominster, Hereford . . . . .	Sir J. W. Lubbock, Bart.; *Sir W. C. Fairlie, Bart.
Leskeard, Cornwall . . . . .	Hon. W. Elliot; Major-General Sir W. H. Pringle.
Lestwithiel, Cornwall . . . . .	Sir R. Wigram, Knight; A. C. Grant.
Lewes, Sussex . . . . .	Sir J. Shirley, Bart.; G. Shiffner.
Litchfield, Staffordshire . . . . .	Major-General Sir George Anson, Knight; George Granville Venables Vernon.
Lyme-Regis, Dorsetshire . . . . .	John Thomas Fane; *Vere Fane.
Lincolnshire . . . . .	Hon. Charles Anderson Pelham; Charles Chaplin.
Lincoln . . . . .	Coningsby Waldo Sibthorp; *Ralph Bernal.
Liverpool, Lancashire . . . . .	Right Hon. George Canning; Lieutenant-General Isaac Gascoyne.
London . . . . .	Matthew Wood, Alderman; *Thomas Wilson; *Ro- bert Walshe, *John Thomas Thorp, Alderman
Ludgershall, Wiltshire . . . . .	Sandford Graham; H. Lowe Luttrell, Earl of Car- hampton.
Ludlow, Shropshire . . . . .	Right Hon. Edward Herbert; Viscount Clive; *Hon. Robert Henry Clive.
Lymington, Hants . . . . .	Vice-Admiral Sir Harry Neale, Bart.; William Man- ning.
Maidstone, Kent . . . . .	*Abraham Wodey Roberts; *George Longman.
Maldon, Essex . . . . .	J. Holden Strutt; E. Gaskell.
Malmesbury, Wilts . . . . .	C. Forbes; Kirkman Finlay.
Maltou, Yorkshire . . . . .	Hon. J. W. Ponsonby, commonly called Viscount Duncannon; J. C. Ramsden.
Marlborough, Wilts . . . . .	*Hon. J. Wodehouse; *Right Hon. J. T. Brudenell, commonly called Lord Brudenell.
Marlow, Bucks . . . . .	Owen Williams; F. Grenfell.
Mawca, St (Cornwall) . . . . .	*Scrope Bernard Morland; Joseph Phillimore.
Merionethshire . . . . .	Sir R. W. Vaughan.
Michael, St (Cornwall) . . . . .	Sir G. Staunton; W. Leake.
Middlesex . . . . .	W. Malish; G. Byng.
Milhurst, Sussex . . . . .	S. Smyth; J. Smith.
Milborne Port, Somerset . . . . .	Hon. Sir E. Paget, G. C. B.; R. M. Cambel.
Minshead, Somersetshire . . . . .	J. F. Luttrell; H. F. Luttrell.

Monmouthshire . . . .	Hon. Granville C. H. Somerset, commonly called Lord Granville Somerset; Sir C. Morgan, Bart.
Monmouth . . . . .	H. Somerset, commonly called Marquis of Worcester.
Montgomeryshire . . . .	C. W. W. Wynn.
Montgomery . . . . .	H. Clive.
Morpeth, Northumberland .	W. Ord; Hon. W. Howard.
Newark, Notts . . . . .	Lieutenant-General Sir W. H. Clinton, K. G. C.; H. Willoughby.
Newcastle-under-Lyme . . .	*W. S. Kinnersly; *H. J. Wilmet.
Newcastle-upon-Tyne . . .	Sir M. W. Ridley, Bart.; Cuthbert Ellison.
Newport, Cornwall . . . .	W. Northey; J. Raine.
Newport, Isle of Wight . . .	Sir L. T. W. Hoimes, Bart.; C. Dunscombe.
Newton, Lancashire . . . .	T. Legh; *T. Cloughton.
Newtown, Isle of Wight . . .	Hon. G. A. Palham; H. Gurney.
Norfolk . . . . .	*T. W. Coke; F. Wodehouse.
Northallerton, Yorkshire . .	H. Peirse; Right Hon. H. Lascelles, commonly called Lord Viscount Lascelles.
Northamptonshire . . . .	W. R. Cartwright; Hon. J. C. Spencer, commonly called Viscount Althorp.
Northampton . . . . .	Hon. S. J. A. Compton, commonly called Earl Compton; Sir E. Kerrison, K. C. B.
Northumberland . . . . .	Sir C. M. L. Monck, Bart.; *T. W. Beaumont.
Norwich, Norfolk . . . . .	W. Smith; *R. H. Gurney.
Nottinghamshire . . . . .	Right Hon. W. H. C. Bentinck, commonly called Lord W. H. C. Bentinck; F. Frank.
Nottingham . . . . .	J. Birch; Right Hon. G. A. H. A. Parkyns; Baron Hancuffe, of the kingdom of Ireland.
Oakhampton, Devonshire . .	C. Savile; *A. Savile, L.L.D.*
Oxford, Suffolk . . . . .	E. A. Macnaghten; *J. Douglas.
Oxfordshire . . . . .	J. Fane; W. H. Ashhurst.
Oxford, University . . . .	Right Hon. Sir W. Scott, Knight, Doctor of Civil Law; *Right Hon. R. Peel, Doctor of Civil Law.
Oxford, City . . . . .	*A. Wright; General the Hon. F. St John.
Pembrokeshire . . . . .	Sir J. Owen, Bart.
Pembroke . . . . .	*John Hensleigh Allen.
Penryn, Cornwall . . . . .	Sir Christopher Hawkins, Bart.; H. Swann.
Peterborough, Northampton	Right Hon. W. Elliot; Hon. W. Lamb.
Petersfield, Hants . . . .	Hylton Jelliffe; George Canning.
Plymouth, Devonshire . . .	Sir W. Congreve, Bart.; *Sir T. Ryam Martin, K.C.B.
Plympton, Devonshire . . .	R. G. MacDonald; A. Borwell.
Pontefract, Yorkshire . . .	Right Hon. J. Saville, commonly called Viscount Pollington; *T. Houldsworth.
Poole, Dorsetshire . . . .	B. Lester Lester; *John Dent.
Portsmouth, Hants . . . .	John Carter; Rear-Admiral Sir George Cockburn, K. G. C.
Preston, Lancashire . . . .	S. Horrocks; Edmund Hornby.
Queensborough, Kent . . .	Hon. E. Phipps; Sir Rob. Moorsom.
Radnor, County of . . . . .	Walter Williams.
Radnor, New . . . . .	Richard Price.
Reading, Berkshire . . . .	C. Shaw Lockyer; *C. F. Palmer.
Retford, Notts . . . . .	*William Evans; *S. Crompton.
Richmond, Yorkshire . . . .	*Hon. James Maitland, commonly called Lord Viscount Maitland; *T. Dundas.
Ripon, Yorkshire . . . . .	Right Hon. M. J. Robinson; G. Gips.
Rechester, Kent . . . . .	Right Hon. T. Hamilton, commonly called Lord

Ramney, Kent . . . . .	Andrew Strahan; *Richard Earl Drax Grosvenor.
Rutland . . . . .	Sir Gilbert Heathcote, Bart.; Sir Gerard Noel Noel, Bart.
Rye, Sussex . . . . .	Right Hon. C. Arbuthnot; *P. Browne.
Ryegate, Surrey . . . . .	Vice-Admiral Sir J. S. York, K. C. B.; Hon. James Sommers Cocks.
Salop or Shropshire . . . . .	J. Kynaston Powell; John Cotes.
Saltash, Cornwall . . . . .	Mathew Russell, James Blair.
Sandwich, Kent . . . . .	J. Marryat; Sir G. Warrender, Bart.
Sarum, New, Wilts . . . . .	Right Hon. W. Flyddell Bouvrie, commonly called Viscount Folkestone; *Wadhams Wyndham.
Sarum, Old, Wilts . . . . .	J. Alexander; *A. J. Crawford.
Scarborough, Yorkshire . . . . .	Right Hon. C. Manners Sutton; *Right Hon. H. C. Phipps, commonly called Lord Viscount Normanby.
Seaford, Sussex . . . . .	C. Rose Ellis; G. Watson Taylor.
Shaftesbury, Dorsetshire . . . . .	J. B. S. Morrit; *J. H. Shephard.
Shorcham, Sussex . . . . .	Sir Charles Merrick Burrell, Bart; James Martin Lloyd.
Shrewsbury . . . . .	Hon. H. Grey Bennet; R. Lyster.
Somersetshire . . . . .	W. Dickinson; W. G. Langton.
Southampton, Hants . . . . .	W. Chamberlayne; *Sir William Champion de Crespigny, Bart.
Southwark, Surrey . . . . .	Charles Calvert; *Sir R. Wilson, Knight.
Staffordshire . . . . .	Right Hon. G. Granville Leveson Gower, commonly called Earl Gower; Fdw. John Littleton.
Stafford . . . . .	B. Benyon; *S. Homfray.
Stamford, Lincolnshire . . . . .	*Hon. T. Cecil, commonly called Lord Thomas Cecil; *Hon. W. H. Percy.
Steyning, Sussex . . . . .	Sir John Aubrey, Bart., Geo. Philips.
Stockbridge, Hampshire . . . . .	Jos. Foster Burham; Geo. Porter.
Sudbury, Suffolk . . . . .	*W. Heygate, J. Broadhurst.
Suffolk . . . . .	T. S. Gooch; Sir W. Rowley, Bart.
Surrey . . . . .	G. H. Sumner; *W. J. Denison.
Sussex . . . . .	Sir G. Webster, Bart.; W. Burrell.
Tamworth, Staffordshire . . . . .	Sir Robert Peel, Bart.; W. Yates Peel.
Taunton, Devonshire . . . . .	Right Hon. William Russell, commonly called Lord William Russell; *Right Hon. John Russell, commonly called Lord John Russell.
Taunton, Somersetshire . . . . .	Alexander Baring; Sir William Burroughs.
Taunton, Norfolk . . . . .	Right Hon. Charles Fitzroy, jun. commonly called Lord Charles Fitzroy; Nicholas William Hildley Colborne.
Tewkesbury, Gloucester . . . . .	*J. E. Dowdewell; J. Martin.
Thirsk, Yorkshire . . . . .	R. Frankland; R. G. Russell.
Triveton, Devonshire . . . . .	Right Hon. R. Ryder; W. Fitzhugh.
Totness, Devonshire . . . . .	T. P. Courtenay; W. Holmes.
Tregany, Cornwall . . . . .	Hon. M. Vane, commonly called Lord Viscount Harbord; *J. O'Callaghan.
Truro, Cornwall . . . . .	*Lord Fitzroy-Solmes; W. E. Tomline.
Wallingford, Berkshire . . . . .	W. L. Hughes; E. F. Maitland.
Wareham, Dorsetshire . . . . .	John Calcraft; *Thomas Denman.
Warwickshire . . . . .	Sir C. Morlaume, Bart.; D. S. Bagthale.
Warwick . . . . .	Hon. Sir Charles John Greville, K. C. B.; Charles Miles.
Wells, Somersetshire . . . . .	*J. E. Tidway; C. W. Taylor.
Weymouth, Bucks . . . . .	*Hon. Robert Smith; George Smith.
Wenlock, Shropshire . . . . .	C. W. Forrester; Hon. J. Simpson.

# LIST OF MEMBERS IN NEW PARLIAMENT. 367

Wobley, Herefordshire	*Right Hon. Thomas Thynne, commonly called Lord Viscount Weymouth; Right Hon. F. C. Bentinck, commonly called Lord Frederick Cavendish Bentinck.
Westbury, Wiltshire	Ralph France; *Hon. F. N. Conyngham, commonly called Lord Francis Nathaniel Conyngham.
West Looe, Cornwall	Sir C. Hulme, Bart.; H. Goulburn.
Westminster	Sir S. Romilly, Knight; Sir F. Burdett, Bart.
Westmoreland	Right Hon. William Lowther, commonly called Lord Viscount Lowther; Hon. H. C. Lowther.
Weymouth and Melcombe Regis, Dorset	Right Hon. T. Wallace; M. Ure; *W. Williams; T. F. Buxton.
Whitchurch, Hampshire	Hon. H. G. P. Townshend; S. Scott.
Wigan, Lancashire	Sir R. H. Leigh, Bart.; J. Hodson.
Wilton, Wiltshire	J. Lord Viscount Fitzharris; R. Sheldon.
Wiltshire	P. Methuen; W. P. T. L. Wellesey.
Winchester, Hampshire	J. H. Leigh; *P. St. J. Mildmay.
Winchelsea, Sussex	H. Brougham; *G. Mills.
Windsor, Berkshire	E. Disbrowe; J. Ramsbottom.
Woodstock, Oxfordshire	Right Hon. R. Spencer, commonly called Lord R. Spencer; Sir H. W. Dashwood, Bart.
Worcestershire	Hon. H. Beauchamp Lygon; Hon. W. H. Lytton.
Worcester	Hon. G. W. Coventry, commonly called Lord Viscount Deerhurst; *T. H. Davis.
Wootton-Basset, Wilts	R. Ellison; W. Taylor Money.
Wymcombe, Bucks	Sir J. Dashwood King, Bart.; Sir T. Baring, Bart.
Yarmouth, Great, Norfolk	(A seat vacated by the death of Hon. Th. W. Anson) *C. F. Rumbold.
Yarmouth, Isle of Wight	J. Taylor; *W. Mount.
Yorkshire	Right Hon. C. W. W. Fitzwilliam, commonly called Viscount Milton; J. A. S. Wortley.
York	Hon. L. Dundas; Sir M. M. Sykes, Bart.

## IRELAND.

Antrim	Hon. J. B. R. O'Neil; *H. Seymour.
Armagh, Borough	John Leslie Foster.
Armagh, County of	*E. Brownlow, jun.; W. Richardson.
Athlone, Westmeath	*John Gordon.
Bandonbridge, Cork	*Captain Clifford, B. N.
Belfast, Antrim	Arthur Chichester.
Carlowshire	H. Brien; *Sir U. B. Burgh, K. C. B.
Carlow, Borough	*Charles Harvey.
Carrickfergus, Antrim	*Hon. G. H. Chichester, commonly called Earl of Belfast.
Cashel, Tipperary	*H. Peunefather.
Cavanshire	N. Sheyd; Right Hon. J. Barry.
Clare	Sir E. O'Brien, Bart.; Right Hon. W. Vesey Fitzgerald.
Clonmel, Tipperary	Right Hon. W. Bagwell.
Coleraine, Londonderry	Rear Admiral Sir J. P. Beresford, Bart.
Cork	Hon. R. Harcourt; Hon. E. King, commonly called Lord Viscount Kingsborough.
Cork, City	*Hon. C. Haley, Hutchinson; Sir N. C. Colthurst, Bart.

Donegalshire . . . . .	G. V. Hart; *Hon. H. J. Conyngham, commonly called Earl Mount-Charles.
Downshire . . . . .	Right Hon. Robert Lord Viscount Castlereagh; Right Hon. Arthur Hill, commonly called Lord Arthur Hill.
Downpatrick, Down . . . .	Hon. W. R. Annesley, commonly called Lord Viscount Glerawly.
Drogheda, Lowth . . . . .	Henry Meade Ogle.
Dublinshire . . . . .	H. Hamilton; R. W. Talbot.
Dublin, City . . . . .	Right Hon. H. Grattan; R. Shaw.
Dublin, University . . . .	Right Hon. W. C. Plunkett.
Dundalk, Louth . . . . .	*Gerald Callaghan.
Dungannon, Tyone . . . . .	T. Knox.
Dungarvon, Waterford . . .	Hon. General G. Walpole.
Ennis, Clare . . . . .	*Spencer Perceval.
Enniskillen, Fermanagh . . .	R. Magenis.
Fermanaghshire . . . . .	Hon. General Sir L. Cole, G. C. B.; Mervyn Archiball.
Galway County . . . . .	James Daly; R. Martin.
Galway, Town . . . . .	Valentine Blake.
Kerryshire . . . . .	Right Hon. M. Fitzgerald; J. Crosbie.
Kildarshire . . . . .	Hon. W. C. O'Brien, commonly called Lord W. Fitzgerald; R. Latouche.
Kilkennyshire . . . . .	Hon. J. Butler; Hon. F. C. Ponsonby.
Kilkenny, Borough . . . . .	Hon. C. H. Butler.
King's County . . . . .	T. Bernard; *J. Parsons.
Kinsale, Cork . . . . .	G. Coysmaker.
Leitrim . . . . .	J. Latouche; *L. White.
Limerick . . . . .	*Hon. R. Fitzgibbon; Hon. W. H. W. Quin.
Limerick, City . . . . .	Hon. J. P. Vereker.
Lisburn, Antrim . . . . .	J. L. Foster.
Londonderry . . . . .	G. R. Dewar; *A. R. Stewart.
Londonderry, City . . . . .	Right Hon. Sir G. Fitzgerald Hill, Bart.
Longfordshire . . . . .	Sir T. Fetherston, Bart.; Right Hon. George John, commonly called Viscount Forbes.
Louthshire . . . . .	Right Hon. J. Foster; Right Hon. R. Viscount Jocelyn.
Mallow, Cork . . . . .	W. W. Beecher.
Mayo . . . . .	D. Browne; *J. Browne.
Meathshire . . . . .	Right Hon. Thomas Earl of Bective; Sir M. Somerville, Bart.
Monaghan . . . . .	C. P. Leslie; *Hon. H. R. Westcra.
Newry, Down . . . . .	M. F. Needham.
Portarlington, Queen's Co. .	R. Sharp.
Queen's County . . . . .	Right Hon. W. W. Pole; Sir H. Parnell, Bart.
Roscommonshire . . . . .	A. French; Major-General the Hon. S. Mahon.
Ross, New, Wexford . . . .	*J. Carroll.
County of Ross . . . . .	T. Mackenzie, jun.
Shropshire . . . . .	C. O'Hara; E. S. Cooper.
Sligo, Borough . . . . .	*J. Bent.
Tipperary . . . . .	*Hon. R. Butler, commonly called Lord Viscount Cabri; Hon. M. Mathew.
Tralee, Kerry . . . . .	*E. Denny.
Tyronehire . . . . .	Right Hon. S. & J. Stewart, Bart.; *W. Stewart.
Waterfordshire . . . . .	R. Power; Hon. G. T. Jernford, commonly called Lord G. Berensford.

Waterford, City . . . .	Right Hon. Sir J. Newport, Bart.
Westmeath . . . . .	Hon. H. R. Pakenham; G. Rochfort
Wexfordshire . . . . .	R. S. Carew, jun.; C. Colclough.
Wexford . . . . .	R. Neville.
Wicklow . . . . .	Hon. G. L. Proby; W. Parnell.
Youghall, Cork . . . .	Lord Bernard.

LIST OF THE SIXTEEN SCOTS PEERS.

*Elected July 24, 1818.*

Duke of Roxburgh . . . .	48	Viscount Arbuthnot . . . .	43
Marquis of Queensberry . .	54	Lord Forbes . . . . .	51
Marquis of Tweeddale . . .	56	Lord Saltoun . . . . .	55
Marquis of Lothian . . . .	57	Lord Grey . . . . .	53
Earl of Errol . . . . .	56	Lord Sinclair . . . . .	50
Earl of Kellie . . . . .	54	Lord Colville . . . . .	57
Earl of Balcarras . . . . .	55	Lord Napier . . . . .	51
Earl of Roseberry . . . . .	54	Earl of Home . . . . .	56

PEERS NOT RETURNED.

Earl of Caithness.	Earl of Aboynne.†
Earl of Dalhousie.†	Earl of Glasgow.§
Earl of Selkirk.	Earl of Aberdeen.

MEMBERS RETURNED FOR SCOTLAND.

Aberdeenshire . . . . .	J. Ferguson.
Ayrshire . . . . .	* Lieutenant-General J. Montgomery.
Annan, &c. Dumfries-shire; the burghs of Kircudbright, Dumfries, Annan, Lochma- ben, and Sanguhar . . . .	} Wm. R. Keith Douglas.
Anstruther, &c. Fifeshire; burghs of Pittenweem, An- struther Easter, Anstruther Wester, Kilrenny, and Craig.	
	Right Hon. Alexander Macdonald, Lord Advocate of Scotland.
Argyllshire . . . . .	Right Hon. J. D. E. M. Campbell, commonly called Lord John Campbell.
Banffshire . . . . .	* Right Hon. James Earl Fife.
Berwickshire . . . . .	Sir John Marjoribanks, Bart. *
Brechin, &c. Forfarshire; the burghs of Montrose, Brechin, Aberbrothock, and Inververrie . . . . .	} * Joseph Hume.

† A peer of the United Kingdom, (Lord Dalhousie.)

‡ A peer of the United Kingdom, (Lord Melrose.)

§ A peer of the United Kingdom, (Lord Ross.)

|| Likewise a peer of the United Kingdom. All created British peers since 1814

Bute and Caithnessshire . . .	*George Sinclair.
Clackmannan and Kinrossh. . .	Hon. A. Abercrombie.
Cullen, &c. Banffshire ; burghs of Elgin, Banff, Cul- len, Kintore, and Inverary . . .	Robert Grant.
Dornoch, Sutherlandshire ; the burghs of Dingwall, Tain, Dornoch, Wick, and Kirkwall . . . . .	
Dumbartonshire . . . . .	Hugh Innes.
Dumfriesshire . . . . .	Right Hon. Archibald Colquhoun, Lord Clerk Registrar of Scotland.
Dunfermline, Fifeshire ; burghs of Stirling, Inver- keithing, Dunfermline, Cul- ross, and Queensferry . . .	Rear-Admiral Sir W. J. Hope, K. C. B.
Edinburghshire . . . . .	*John Campbell, Esq.
Edinburgh . . . . .	Sir George Clerk, Bart.
Elginshire . . . . .	Right Hon. William Dundas.
Fifeshire . . . . .	Colonel Francis William Grant.
Forfarshire . . . . .	General William Wemyss.
Fortrose, &c. Ross-shire . . .	Hon. William Maule.
Glasgow, &c. ; burghs of Glasgow, Renfrew, Ruth- erglen, and Dumbarton . . .	*George Cumming.
Haddingtonshire . . . . .	*Alexander Houston.
Haddington, &c. ; burghs of Jedburgh, Haddington, Lauders, Dunbar, and North Berwick . . . . .	Sir James Suttie, Bart.
Invernesshire . . . . .	Dudley North.
Kincardineshire . . . . .	Charles Grant, jun.
Kirkcaldy, &c. Fifeshire ; the burghs of Kirkcaldy, Brunt- island, Kinghorn, and Dy- sart . . . . .	G. H. Drummond.
Kircudbright Stewartry . . .	Lieutenant-General Sir Ronald Crawford Ferguson.
Linlithgowshire . . . . .	
Lanarkshire . . . . .	Lieutenant-General James Dunlop.
Linlithgowshire . . . . .	Right Hon. Archibald Hamilton, commonly called Lord A. Hamilton.
Cromartynshire . . . . .	Hon. Sir Alexander Hope, K. C. B.
Orkneyshire and Shetland- shire . . . . .	*Roderick Macleod, jun.
Peeblesshire . . . . .	*Hon. Geo. Henckage ; Laur. Dundas.
Perthshire . . . . .	
Renfrewshire . . . . .	Sir James Montgomery, Bart.
Ross-shire . . . . .	James Drummond.
Rothsay, &c. Buteshire ; burghs of Ayr, Irvine, Rothsay, Campbelltown, and Inverary . . . . .	*J. Maxwell, jun.
Roxburghshire . . . . .	*T. Mackenzie, jun.
St Andrews, &c. Fifeshire ; the burghs of Dundee, Perth, St Andrews, Cupar, . . .	*T. R. Kennedy, jun.
	Sir E. Dug, Bart.
	*Arch. Campbell

# LIST OF MEMBERS IN NEW PARLIAMENT. 377.

Selkirkshire . . . . .	W. E. Lockhart
Selkirk, &c. ; burghs of Selkirk, Linlithgow, Lanark, and Peebles . . . . .	} Sir J. Buchanan Riddell, Bart.
Stirlingshire . . . . .	
Stranraer, &c. Wigtonshire ; burghs of Wigton, Whitehorn, New Galloway, and Stranraer . . . . .	} Sir C. Edmonstone, Bart.
Sutherlandshire . . . . .	
Wigtonshire . . . . .	} Lieutenant-Colonel the Hon. J. H. Keith Stewart.
	G. Maspherson Grant.
	James Hunter Blair.



*The LONDON GENERAL BILL of*  
**CHRISTENINGS and BURIALS from December 16, 1816, to December 15, 1817.**

Christened in the 97 Parishes within the walls	1048,	Buried	1204
17 parishes without the walls	5817,	Buried	4078.
23 out-parishes in Middlesex and Surry	13,410,	Buried	10,099
10 parishes in the city and liberties of Westminster	4458,	Buried	4324

Christened { Males 12,590 } in all,	Buried { Males 9,883 } in all,	Decreased in
{ Females 11,703 } 24,293	{ Females 9,822 } 19,705	{ Parials 263

Died under 2 years	5981	20 and 30,	1458	60 and 70,	1585	100,	1
Between 2 and 5	1813	30 and 40,	1884	70 and 80,	1271	101,	1
5 and 10	808	40 and 50,	2040	80 and 90,	792	102,	1
10 and 20	708	50 and 60,	1864	90 and 100,	175	108,	1

DISEASES.		Mundice .....		CASUALTIES.	
Abscess .....	103	Jaw Locked .....	1	Broken Limbs...	1
Aged .....	1923	Liver Complaint .....	72	Burnt .....	33
Ague .....	1	Lunacy .....	228	Drowned .....	117
Apoplexy and sud-		Measles .....	798	Excessive Drinking	5
denly .....	512	Miscarriage .....	2	Executed .....	11
Asthma .....	859	Mortification .....	868	Found Dead .....	14
Cancer .....	97	Palpitation of the		Fractured .....	1
Chicken Pox .....	2	Heart .....	7	Frightened .....	3
Childbed, .....	221	Palsy .....	337	Killed by Falls and	
Consumption .....	4242	Pleurisy .....	15	several other Ac-	
Convulsions .....	3205	Rheumatism .....	13	cidents .....	92
Cough, and Hooping-		Rupture .....	38	Killed by Fighting.	1
Cough .....	839	Scrophula .....	12	Murdered .....	2
Croup .....	113	Small Pox .....	431	Poisoned .....	6
Dropsy .....	709	Sore Throat .....	21	Scalded .....	8
Dysentery .....	16	Spasm .....	78	Starved .....	1
Revers of all kinds	1170	St Anthony's Fire	8	Strangled .....	1
Fistula .....	9	Stillborn .....	654	Suffocated .....	8
Gout .....	58	Teething .....	445	Suicides .....	40
Gravel, Stone, and		Throat .....	107		
Strangury ....	17	Veneral .....	19	Total, 19,705	1
Hemorrhage ....	43	Water in the Chest	101		
Inflammation ....	1203	Water on the Brain	406		
		Worms .....	6		

\* There have been executed in London and the county of Surrey, 24; of which number 11 only have been reported to be buried within the Bills of Mortality.

PRICE OF STOCKS FOR EACH MONTH IN 1818.—*Lowest and Highest.*

1818	Bank Stock	S. p. ct. 3 red.	S. p. ct. 3 com.	S. p. ct. 4 com.	Navy. 5 p. ct.	Long Ann.	India Stock	India Bond.	Exch. Bills	S. Sea Stock	Irish 5 p. ct.	Omanum
January ....	{ 298 292	79 1/2 82	78 1/2 81 1/2	98 1/2 99 1/2	104 1/2 104 1/2	20 1/2 21	240 232 1/2	99 pr. 100 pr.	21 pr. 20 pr.	89 1/2 87 1/2	106 1/2	
February ....	{ 285 1/2 290 1/2	79 1/2 81 1/2	79 1/2 80 1/2	98 1/2 99 1/2	105 1/2 105 1/2	20 1/2 21	239 1/2 241 1/2	98 pr. 100 pr.	21 pr. 20 pr.	87 1/2 89 1/2	107 1/2	
March .....	{ 285 287 1/2	78 1/2 79 1/2	77 1/2 78 1/2	98 1/2 99 1/2	105 1/2 106 1/2	20 1/2	238	88 pr. 87 pr.	13 pr. 21 pr.	86 1/2	106 1/2	
April .....	{ 282 286	79 81 1/2	79 1/2 82	97 1/2 98 1/2	106 1/2 108 1/2	20 1/2 20 1/2	236 1/2 239 1/2	89 pr. 101 pr.	20 pr. 25 pr.	88 1/2 90 1/2		
May .....	{ 278 1/2 283	77 1/2 80 1/2	76 1/2 80 1/2	96 1/2 97 1/2	107 1/2 108 1/2	20 1/2 20 1/2	231 1/2 234	91 pr. 100 pr.	19 pr. 22 pr.	89 1/2 90 1/2	106 1/2	1 1/2 1 1/2
June .....	{ 279 280 1/2	78 1/2 78 1/2	79 79 1/2	96 1/2 97	108 108 1/2	20 1/2 20 1/2	232 1/2 232 1/2	88 pr. 92 pr.	16 pr. 21 pr.		107	1 1/2 1 1/2
July .....	{ 276 1/2 278 1/2	77 1/2 78 1/2	76 1/2 78	96 1/2 98	103 1/2 108 1/2	20 1/2 20 1/2	232 233 1/2	88 pr. 100 pr.	15 pr. 21 pr.			1 1/2 1 1/2
August .....	{ 274 276 1/2	75 1/2 79 1/2	75 1/2 77 1/2	95 1/2 97 1/2	104 1/2 106 1/2	20 1/2 20 1/2	224 232 1/2	81 pr. 95 pr.	17 pr. 20 pr.	86 1/2		1 1/2 1 1/2
September ..	{ 268 1/2 269 1/2	73 1/2 75 1/2	73 1/2 76	94 1/2 95 1/2	103 1/2 103 1/2	20 1/2		68 pr. 85 pr.	17 pr. 18 pr.	84 1/2	107 1/2	2 1/2 2 1/2
October .....	{ 268 1/2 274 1/2	74 1/2 77 1/2	75 1/2 77 1/2	98 1/2 98	105 1/2 108	19 1/2 20 1/2	226 233 1/2	75 pr. 92 pr.		89 1/2 85 1/2		4 par
November ..	{ 278 273 1/2	76 1/2 77 1/2	76 1/2 78 1/2	94 1/2 95 1/2	107 1/2 108 1/2	20 1/2 20 1/2	232 233	81 pr. 87 pr.		85 1/2 86		1 1/2 1 1/2
December ..	{ 267 270 1/2	76 1/2 79 1/2	76 1/2 79 1/2	94 1/2 94 1/2	108 1/2 108 1/2	19 1/2 20 1/2	234	76 pr. 85 pr.		86 1/2	106 1/2	1 1/2 2 1/2

# BIRTHS, MARRIAGES, AND DEATHS,

WITHIN THE YEAR 1818.

## BIRTHS.

JANUARY 2. At Preston, the lady of Major Hartwell, 6th dragoon guards, a daughter.

3. At Edinburgh, the lady of Sir Andrew Agnew, Bart. a son and heir.

— The lady of Major-General George Cookson, a son.

7. The lady of Captain Romer, royal artillery, a daughter.

8. At Ruchill, the lady of Duncan Campbell, Esq. of Barcaldine, a daughter.

10. The lady of John Bruce, Esq. of Grenada, a son.

— At Naples, the lady of Thomas Clifton, Esq. jun. of Lytham Hall, Lancaster, a son and heir.

12. At Linnton House, Suffolk, the lady of the right honourable Lord Huntingfield, a son.

13. At Edinburgh, Mrs Cochran of Ashkirk, a daughter.

14. At Newton, Aird, the lady of Major L. Stewart, 24th regiment, a son.

— At London, the right honourable Lady St John, a daughter.

15. In London, Lady Liddell, a son; the 15th child.

16. The lady of Lieutenant-General M. Hunter, a daughter.

17. At Glasgow, the lady of Lieutenant-Colonel Hastings, a daughter.

18. At York Place, Edinburgh, Mrs Foulis of Woodhall, a son.

— At Battle Abbey, the lady of Sir Godfrey Webster, Bart. M. P. a son.

19. The honourable Mrs Dundas of Dundas, a daughter.

20. At London, the Countess of Surrey, a son.

22. At Eskbank, Mrs Wood, a daughter.

23. Mrs Morehead, wife of the Reverend R. Morehead, a son.

— At Dunmow, Essex, the lady of George Wade, Esq. of her 16th child, of whom 15 are living.

26. At Plymouth, the lady of Rear-Admiral Lindsey, a daughter.

29. At Craigforth, Mrs Callander, a daughter.

— At Springfield, Warwickshire, the lady of Major Dundas of Carron Hill, Stirlingshire, a daughter.

Lately, At Thorndon, Lady Petre, a son.

— The lady of Sir John Salisbury, Prosau Salisbury, a son and heir.

— Viscountess Hereford, a son.

— Lady Louisa Lambton, a son and heir.

— The wife of the Honourable G. Bennet, a daughter.

*Lately*, Right honourable Lady E. Percival, a daughter.

FEBRUARY 3. At Edradynate, Mrs Stewart Robertson, a daughter.

4. The lady of Sir Alexander Hood, Bart: a daughter.

— The lady of the honourable Drummond Burrell, a son and heir.

6. The lady of the deceased Sir John Carmichael Anstruther Bart: a son.

— Mrs Heriot of Hainorrie, a son.

— At Edinburgh, the lady of Major-General John Hope, a son.

— At Chapilton, the lady of Captain Durie, late of the 92d regiment, a daughter.

10. At Arthington, Yorkshire, the lady of Colonel Davy, a son.

11. At Garry Cottage, Perthshire, the lady of Colonel Macdonnell of Glengary, a son.

12. The lady of Major Leith Hay, younger of Rannoch, a son.

— At Edinburgh, Mrs Captain Henderson of Clonp, a son.

13. At Ayr, Mrs Fullarton of Skeldon, a son.

15. On board the ship *Lady Raffles*, at sea, the lady of Sir Stamford Raffles, a daughter.

17. At Balfour, Mrs Marshall, three fine boys, all doing well.

18. At Schivas, the lady of Alexander Forbes Irvine, Esq. a son and heir.

19. The lady of Major McNeils, 42d regiment, a daughter.

— At Eskgrove, the lady of Captain North Dalrymple, a daughter.

21. The lady of John Horrocks, Esq. a daughter.

22. In Edinburgh, the lady of Alexander Kennedy, Esq. a daughter.

23. At Edinburgh, the lady of Laurence Craigie, Esq. of Glendoch, a son.

25. At Sundrum, the lady of John Hamilton, Esq. junior, a daughter.

27. At Backford Hall, Cheshire, the lady of William Egerton, Esq. a daughter.

— At Woolwich, the lady of Major John Sutherland Sinclair, royal artillery, a daughter.

29. At Rossie, Perthshire, Mrs Oliphant of Rossie, a daughter.

— At Marseilles, Mrs Cunningham Graham of Gartmore, a son.

*Lately*, At Aberdeen, the lady of Major Ernest Leslie, younger of Balquhain, a daughter.

— The lady of Major-General Sir William Anson, K. C. B. a daughter.

— The lady of James Colquhoun, Esq. of James's Place, London, a daughter.

— Lady Oswald, a daughter.

MARCH 1. At Laggan, Mrs Capt. Robertson, a son.

— In Hereford Street, London, the Countess of Clonmel, a son.

2. At Eaglehurst, Hants, the Right Honourable the Countess of Cavan, a son.

3. In London, Lady Emily Drummond, a son.

4. At Eildon Hall, the lady of L. Legge, Esq. a daughter.

5. At Meggernie Castle, Mrs Menzies of Culdares, a daughter.

7. At Tunbridge Wells, the lady of Major Macdougall, a daughter.

— Mrs Gillanders of Highfield, a son.

— At West Viewfield, near Edinburgh, Mrs Colonel Maxwell, a daughter.

8. At Kennmure, the lady of Archibald Stirling, Esq. a son.

15. At Ghent, the lady of Major Henry Balneavis, a son.

16. The Marchioness of Anglesea, a son.

19. At Darnhall, the Honourable Mrs Oliphant Murray, a son.

22. The lady of Peter Horrocks, of Penwortham Lodge, Esq. a son and heir.

— Mrs Crawford of Ardmillan, a daughter.

23. In Albemarle Street, London, the Countess of Waldegrave, a daughter.

24. At Houston, the lady of Norman Sharp, Esq. younger, a daughter.

— At Milton, Lady Hunter Blair, a son.

25. In Edinburgh, Mrs James Ballantype, a daughter.

27. At Ballinaby, Mrs Campbell, a daughter.

— Lady Eleanor Lowther, lady of the Honourable Lieutenant-Colonel Lowther a son and heir.

28. In London, the Countess of Warwick, a son and heir.

*Lately*, At Richmond House, the Countess of March, a son and heir.

— At Edinburgh, the lady of the Right Honourable Lord Ogilby, a daughter.

— At Lochbury House, the lady of Murdoch MacLaine, Esq. a son.

— Right honourable Lady Bridport, a daughter.

APRIL 3. At Exeter, the lady of Sir Charles Dakynple, a son.

4. In London, Viscountess Ebrington, a son.

6. At Gartcaig, Mrs Miller of Frankfield, a daughter.

8. At Ochertyre, Lady Mary Murray, a son.

12. At Yester House, the Marchioness of Tweeddale, a daughter.

13. At Boston, the lady of George Sholto Douglas, Esq. a son.

16. At Stockholm, Viscountess Strangford, a son and heir.

18. The lady of John Douglas, Esq. of Lockerby, a son.

19. In Edinburgh, Mrs Col. D. Ratray, a daughter.

— At Edinburgh, Mrs Major Boyle, 94th regiment, a son.

— At Lochmalong, the lady of Major Horburgh, a son.

26. The Viscountess Folkestone, a son.

27. At Somborne, Hampshire, the Right Honourable Lady Kennedy, a son.

28. At Fareham, the lady of Lieut.-Col. Campbell, 40th regiment, a daughter.

— At Rothiemay, Lady Jane Taylor, a son.

— At Ham Common, near London, the lady of George Sinclair, Esq. younger of Wilbater, a son.

29. At Merchistoun Castle, the lady of the Honourable Captain Napier, B. N. a daughter.

30. At Naples, the lady of Thompson Bonar, Esq. a son.

*Lately*, Viscountess Greville, a son.

— Viscountess Jouslyn, a son.

MAY 2. At Haughton, Mrs Farquharson of Haughton, a son.

4. Mrs Campbell of Dalserf, a son.

5. At Edinburgh, Lady Campbell of Aberuchill, a son.

— At Lisbon, the lady of Colonel Archibald Ross, K. T. S. a son.

6. At Banff, the lady of James William Mackenzie, Esq. younger of Pittrichie, a son and heir.

9. At London, the Lady of the Honourable D. M. Erskine, a daughter.

— At Edinburgh, Mrs Craige of Dumbarnie, a daughter.

— At Brahan Castle, the Honourable Mrs Stewart Mackenzie of Seaforth, a son and heir.

10. At Edinburgh, the lady of Roderick Macleod, Esq. Jun. of Caibell, a son.

13. At Paris, Lady Harriet Drummond, a daughter.

— The wife of Stephen Bouten, a labouring man of the parish of Sollinge, of her 26th child in 26 years.

16. At Relugas, the lady of Thomas Lauder Dick, Esq. a daughter.

— At Tain, the lady of Dr Kennedy, M. N. a son.

17. At Edinburgh, the lady of Sir James Montgomery, Bart. M. P. a daughter.

19. The lady of Sir A. O. Molesworth of Pencarrow, Cornwall, Bart. a son.

21. At Edinburgh, Lady Heron Maxwell, a daughter.

— At Clifton, the lady of Captain Mudge, of the royal engineers, a daughter.

23. At Springfield, Mrs Macduff of Bohardt, a son.

26. At Edinburgh, Mrs Johnstone of Alva, a son.

— Mrs W. Buchanan, 16, Duke Street, Edinburgh, a son.

28. At Cathlaw House, Mrs Riddell, younger of Cammiston, a daughter.

29. At London, the lady of Lieutenant-Colonel James Allen, 94th regiment, a son.

— At Wanstead House, the lady of Long Wellesley, Esq. a daughter.

*Lately*, Lady Fitzherbert, a son.

— At Castletown, Isle of Man, the lady of General Cumming, a daughter.

— Honourable Lady Harriet Bagot, a son.

JUNE 4. At Edinburgh, the lady of Norman Lockhart, Esq. twin boys.

6. At London, the lady of the Honourable Thomas Erskine, a son.

— At Bombay, the lady of D. Christie, Esq. a daughter.

8. At Paris, the lady of Capt. William Gordon, R. N. a daughter.
9. At Brighton, Lady Kathrine Halkett, a son.
10. At Bargaly, the lady of John Mackie, Esq. a son.
11. The lady of Lieutenant-Colonel Hugh Percy Davidson, a daughter.  
— At Whim, the lady of Archibald Montgomery, Esq. a son.
14. At Cornhill, near Aberdeen, the lady of David Young, Esq. a son.
15. At Edinburgh, Mrs Capt. Barclay, R. N. a son.
20. At Edinburgh, Mrs Fortescue, a daughter.
21. At London, the lady of Captain Patterson of the ship Canning, a daughter.  
— At Hampstead, the lady of John Forbes Mitchell, Esq. a son.  
— At Largs, the lady of Capt. Charles Hope Reid of the ship Driver, a son.
22. At Edinburgh, Mrs Capt. Donald M'Kenzie, a son.
24. At Houndwood-house, Berwickshire, the lady of Captain Coulson, R. N. a daughter.  
— At Pilrig-house, Mrs Balfour of Pilrig, a son.
26. At Barbreck, Argyllshire, Mrs Capt. Campbell, a son.
30. At London, the Countess of Palmella, a son.  
— At Knowsouth, the lady of William Oliver, Esq. of Dinlabyre, a son.  
*Lately*, At Malta, the lady of Captain D. Dundas, ship Tagus, a daughter.  
— Lady Amelia Sophia Drummond, a daughter.  
— Honourable Mrs. Wellington, a daughter.
- JULY 3. At Edinburgh, Mrs Miller of Glenlee, a son.  
— At Stranraer, the lady of Colonel Macnair, 90th regiment, a son.
3. At Deal, the lady of Captain Macculloch, ship Severn, a son.
12. At Edinburgh, the lady of Captain Buller, 86th regiment, a daughter.  
— At Shankwick Place, Edinburgh, the lady of Major James Lee, a daughter.  
— At Burriol, in India, the lady of Dr Gilbert Ogilvie Gardner, a daughter.
13. At Xeres, in Spain, the lady of John David Gordon, Esq. younger of Wardhouse, Aberdeenshire, a son.
20. At her house, Upper Seymour Street, London, Viscountess Torrington, a son.
22. At Airdlamont, the lady of Colonel Lamont of Lamont, a son.
24. At Durie, Mrs Christie, a son.
25. At Treviothank, the Honourable Mrs Elliot, a son.
26. In George Street, Edinburgh, Lady Ann Wardlaw, a daughter.
27. At Cfrgen, the lady of William Stothert, Esq. a daughter.
30. At Edinburgh, the lady of Major-General Balfour, a daughter.  
*Lately*, The wife of Thomas Knox, Esq. M. P. a daughter.  
— Lady John Somerset, a daughter.
- AUGUST 1. At Glengyle, Mrs Macgregor, junior of Glengyle, a son and heir.
2. The Princess of Orange, of a son.
3. At Houghton-le-Spring, Durham, the lady of Hope Steuart, Esq. of Ballechin, a daughter.  
— At Munster Castle, Cumberland, the lady of Lord Lindsey, of a daughter.
6. At Bombay, the lady of Captain Malcolm M'Niell, 7th light dragoons, a son.
7. The lady of James Wedderburn, Esq. his Majesty's Solicitor-General for Scotland, a daughter.
9. The lady of John Anstruther Thomson, Esq. of Charlton, a son.
12. At Grovehouse, Blackheath, the right Honourable the Countess of Huntingdon, a son.—We are authorised to say, it is Lord Huntingdon's intention to commemorate his succession to the title, by naming this boy Robin Hood.—*Courier*.
14. At the chateau of Neuilly, the Duchess of Orleans, of a son.
16. At Worthing, the lady of James Grant, Esq. a son and heir.
17. At Arbutnot-house, the Viscountess of Arbutnot, a daughter.  
— At Edinburgh, the lady of William Robertson, Esq. a daughter.  
— At Dublin, Lady Mansfield, a son and heir.
19. At Rosiere, near Lynnhurst, the Countess of Erroll, a daughter.

22. At Ayton-house, Mrs Fordyce, a daughter.

26. The lady of Major Alexander Mackay, Great King Street, Edinburgh, a daughter.

28. At Cockairnly-house, Fifeshire, the lady of Lieutenant-Colonel Moubray, a son.

*Lately*, At Gordonhall, the lady of Sir James Alexander Gordon, R. N., K. C. B. a daughter.

— Lady Lindsay, a daughter.

— Lady Harriot W. Wynn, a daughter.

— The Duchess of Newcastle, a daughter.

SEPTEMBER 3. At Washington, the lady of Mr Bagot, minister plenipotentiary to the United States, a daughter.

4. At the Mauritius, the lady of Col Dalrymple, 22d regiment, a daughter.

— At Elgin, Lady Dunbar of Northfield, a son.

5. At Guernsey, the lady of Lieutenant-Colonel Kennedy, a son.

— At Rochester, the lady of Rear-Admiral Sir John Gore, a daughter.

6. At Ruchill, the lady of Duncan Campbell, Esq. of Barcaldine, a daughter.

7. At Ilkington, Middlesex, the Honourable Lady Edmonstone, a son.

11. At Whitehall-house, Mrs Henderson Somerville of Fingask, a son.

12. At Dublin, the Right Honourable Lady Isabella Smyth, a son and heir.

13. At Sonachan, Mrs Campbell, a daughter.

14. At Kneeworth, the Right Honourable Lady Jane Pym, a son.

16. At Largs, the lady of Archibald Douglas, Esq. Advocate, a daughter.

17. At Ditchly Park, Oxfordshire, Lady Normanton, a son and heir.

— At Paris, the Right Honourable Lady James Hay, a daughter.

19. The lady of James Ker, Esq. younger of Blackhills, a son.

— In London, the Right Honourable Lady Sinclair, a daughter.

20. The lady of Lieutenant-Colonel Desart, a daughter.

21. At Doerbank, the lady of William Gordon, Esq. a daughter.

24. At Rockville-house, the Right Hon-

ourable Lady Eleanor Balfour, a son and heir.

23. At the house of the Right Honourable the Lord Advocate, Mrs Maconochie, a son.

— Mrs Erskine of Amondell, a son.

25. At Glasgow, the lady of Captain Hugh Mackay, of the 27th regiment, a daughter.

26. At Glenform, the lady of Lieut-Colonel Macquarrie, a son.

27. At Edinburgh Castle, the lady of Lieutenant-Colonel Macgregor, 98th regiment, a son.

28. At Woolwich, the lady of Major Wakh, R. A. a son.

30. At Park, the lady of Thomas Gordon, Esq. a son.

— At Doneraile-house, Ireland, Lady Charlotte St Leger, a son.

— At Newbattle Abbey, the Marchioness of Lothian, a son.

*Lately*, At Bishop's Court, Isle of Man, the Right Honourable Lady Sarah Murray, a son.

OCTOBER 3. At Gorhambury, in the county of Herts, the Countess of Verulam, a son.

6. At Ruchill, the lady of William Baillie of Polkemmet, Esq. a son.

7. At St Helena, the lady of Lieutenant-Colonel Wynyard, a son.

10. At Hunt House, Lady Berkeley, a son.

— The lady of George Holmes Jackson, Esq. of Glenmore, a daughter.

13. The Right Hon. Countess of Shannon, a son.

14. At Lord Anson's house, St James's Square, London, Lady George Anson, a son.

16. The wife of John Henderson, carrier in Cupar Angus, two girls and a boy, all doing well.

— At London, the lady of Robert Gillespie, Esq. of Montreal, Canada, a son.

17. The lady of James L'Amoy of Dumkenny, Esq. advocate, a daughter.

— The lady of Colonel Fraser of Castle Fraser, a son and heir.

19. At Desert-house, the Right Hon. the Countess of Desert, a son and heir.

20. In Grafton-Street, London, the lady of Sir M. W. Ridley, Bart. M. P. a son.

20. At Southgate, Mrs A. K. Mackenzie, a son, being her twentieth child, all living.

— At Mayen, the lady of Robert Abercromby, Esq. of Brightonogue, a son and heir.

21. At Woolwich, the lady of Captain Duncan Grant, royal artillery, a daughter.

— At Mullry, in the East Indies, the lady of Major Charles P. Hay, a son.

*Lately*, The wife of Thomas Denman, Esq. M.P.

— The Countess Munster of twin daughters.

NOVEMBER 2. At Milrig, Mrs Gordon of Milrig, a daughter.

— At Aberdeen, the lady of Lieutenant-Colonel M'Gregor, 70th regiment, a son.

3. At Dundalk the lady of Dr Annesley, Scots Greys, a daughter.

5. The wife of Archibald Mackechnie, tailor, Glasgow, two boys and a girl.

— At Pershore, on her road to London, Lady Lucy Clive, a son and heir.

— In Wimpole-Street, London, the lady of the Hon. J. T. Leslie Melville, a son.

6. At Quebec, the lady of William Scott, Esq. younger of Woolf, a son.

10. Lady Pringle of Stitchell, a daughter.

— At Edinburgh, the lady of William Mein, Esq. of Ormiston, a son.

11. At Edinburgh, the lady of Lieutenant-Colonel Wardlaw, a son.

— At Bombay, the Hon. Mrs Buchanan, a son.

12. In Dublin-Street, Edinburgh, the lady of Major Alston, a son.

13. In France, the lady of David S. Ramsay Dickson, Esq. of Blackhall, a son.

— At Edinburgh, the lady of Thomas Maitland, younger of Dundee, a daughter.

16. At Edinburgh, the lady of Alexander Norman Macdonald, Esq. of Harris, a son.

17. At Belmaduthy House, the lady of Colin Mackenzie, Esq. of Kilcoy, a son.

18. At Newabbey, Mrs Stewart of Shambally, a son, being her twenty-fifth child.

22. At Rothmaise, Mrs Forbes, younger of Blackford, a son.

21. At Freeland House, the Hon. Mrs Hore, a daughter.

23. Mrs Skene of Rubislaw, a daughter.

— At Edinburgh, the Lady of Lieutenant-General the Hon. Sir Charles Colville, G.C.B. a son and heir.

25. At Carnbray, the lady of Major-General Sir John Lambert, K. C. B. a son.

— At Edinburgh, Mrs Stewart of Roseland, a son and heir.

28. Mrs Macculloch of Ardwell, a son.

*Lately*, At her house, in Langham Place, London, the lady of Sir James Sibbald, Bart. a daughter.

— At Stoke Place, Bucks, the lady of Major Howard Vase, a son.

— The lady of Sir Hew D. Ross, a daughter.

DECEMBER 2. At Teneriffe, the lady of Gilbert Stewart Bruce, Esq. his Majesty's Consul-General for the Canary Islands, a son.

3. At Mormond House, Mrs Gordon of Cairnbulg, a son.

4. The Countess of Aberdeen, a daughter.

— At Largs, the lady of David Montgomery Craig, Esq. a son.

5. The lady of Sir Thomas Troubridge, Bart. a son.

7. At Edinburgh, the lady of Lieutenant-Colonel Wauchope, a son.

8. At Edinburgh, the lady of Thomas Boswell, Esq. of Blackadder, a daughter.

— Mrs Robinson, of Charter House Square, London, a son.

11. Mrs Leslie of Wharhill, a son.

12. At Minto, Lady Minto, a son.

— At London, the lady of Hugh Rose, Esq. a son.

13. At Belvoir Castle, the Duchess of Rutland, a son.

14. At London, the Duchess of St Albans, a son.

— At Dunbar, the lady of Major Colin C. Mackay, a son.

15. Mrs Duff of Muirtown, a daughter.

21. At Lennoxlove, the Right Honourable Lady Blantyre, a son.

— At Touch House, the lady of Rannald Mardonald, Esq. of Staffa, a son.



21 The lady of William Mackenzie, Esq. surgeon, Madras, a son.

22. At Edinburgh, Mrs Lockhart of Castlehill, a son.

— At Woodlee, Dumfriesshire, the lady of G. S. Elliot, Esq. of Larristoun, a son and heir.

24. The wife of Mr Saunders, shoemaker, No. 1. Bull's Head Court, Snowhill, London, of twins.—She is in the 50th year of her age, and had no children for 35 years before.

26. At Musselburgh, Mrs Home, a son.

29. Mrs Bell, Queen's-Street, Edinburgh, of twin daughters.

— Mrs R. A. Oswald of Moore Park, a daughter.

### MARRIAGES.

JANUARY 3. At Crook, near Stirling, William Smith, Esq. merchant in Glasgow, to Miss Morris, of Ellishall.

6. In Charlotte-Square, Edinburgh, Edward Poore, Esq. nephew of Sir John Methuen Poore, Bart. to Agnes, third daughter of Sir John Majoribanks, Bart.

8. At Bishop's Waltham, Charles C. Johnston, Esq. Captain 80th light infantry, to Susan, eldest daughter of Rear-Admiral Griffith.

10. At Madras, Major James Brodie, to Miss Eliza Thomson.

12. At Linton, John Bruce, Esq. of St Elizabeth's, Jamaica, to Miss Cunningham.

16. At Edinburgh, Alexander Stewart, Esq. Finsbury-Square, London, to Miss Marshall Logan.

17. At London, Major Keane, 7th Hussars, to Anne, third daughter; and also John Grove, Esq. M. D. of Salisbury, to Jean Helen, fourth daughter of William Fraser, Bart. of Bedford-Square.

20. At Edinburgh, Alexander Hunter, Esq. surgeon, royal navy, to Miss Baxter.

26. At Edinburgh, Capt. Hugh Stevenson, Campbelltown, to Mrs Macdougall.

— At Edinburgh, the Rev. Robert Ross, to Miss Marine Hadden.

27. At London, Robert Johnston of Murphy Hill, Esq. Jamaica, to Miss Charlotte Taylor.

28. At Barton House, James Cunningham, Esq. of Balgownie, to Agnes, third

daughter of the late George Ramsey, Esq. of Barton.

30. At Lybrecross, Gilbert Gordon, Esq. late of Berbee, to Miss Sutherland.

31. At London, Colonel Sir Alexander Bryce, to Miss Emily Parker.

FEBRUARY 3. At Craighbank, James Stirling, Esq. merchant in Glasgow, to Miss Sarah M'Cauley.

— At Nenagh, James Dempster, Esq. M. D. 93d regiment, to Miss Carroll.

8. At Parkhall, William Colville Learmonth, Esq. of Pelle Rose, to Gloriana, only daughter of the late John Mackenzie, Esq. of Garmkirk.

9. At London, the Right Honourable Lord Clive, to Lady Lucy Graham, third daughter of the Duke of Montrose.

— At Glasgow, James Coats, Esq. to Miss Bayne, Concraig, Perthshire.

11. At Inverness, James Drivet, Esq. Kirkwall, Orkney, to Miss Annabella Chisholm.

12. At London, Archibald Constable, Esq. Edinburgh, to Charlotte, daughter of the late John Neale, Esq.

16. At Caldwell, Ayrshire, Lieutenant-General the Honourable Sir Charles Colville, G. C. B. to Miss Muir, Caldwell.

20. George Ramsay, Esq. Craigie, to Miss Katherine Stewart.

— At Leith, George Scott Elliot, Esq. of Lauriston, to Miss Bell.

— At Seaside, Andrew Thomson, Esq. W.S. to Miss Barbara Hunter, Seaside.

28. At London, G. V. Aughton, Esq. to Miss Dunbar.

29. At Bath, Rear-Admiral Macnamara, to the Honourable Mrs Charlton.

— Captain Charles Jones, of the 16th Hussars, to Miss Annanley.

— At Edinburgh, the Rev. Leslie Moodie, to Catherine, daughter of the deceased Charles Ferguson, Esq.

MARCH 6. At London, Viscount Newport, to Georgina Elizabeth, only daughter of Sir Thomas Munro, Bart. of Moncrieff, Perthshire.

10. At Arbroath, Peter Brown, Esq. late of Bombay, to Miss Glegg.

— At Moradabad, East Indies, Lane Magniac, Esq. of the civil service, to Miss Erskine.

13. At Glasgow, Capt. Stirling, King's dragoon guards, to Miss Mary Anderson.

14. In London, Lieutenant-Colonel Sir Jeremiah Dickson, to Miss Jemima Brooke.

17. At Glenfeach, Capt. John Campbell, 91st regiment, to Miss Stevenson.

19. At Paris, the Right Honourable the Earl of Athlone, to Miss Hope, daughter of the late John Williams Hope, Esq. of London and Amsterdam.

23. At Hawick, the Rev. Robert Shaw, minister of Fwos, to Miss Moncrieff.

24. In Scauby church, Andrew Hamilton, Esq., merchant, Leith, to Miss Agnes Fawcett, Scauby Castle.

— At Edinburgh, the Rev. Patrick Macvicar, Dundee, to Mrs Dymoke.

26. At Affordour House, Patrick Duff, Esq. of Carnoustie, to Miss Fenclope Gordon.

27. At Edinburgh, Robert Henderson, Esq. of Chapelhope, to Miss Isabella Scott.

29. At Heighington House, in the county of Durham, Duncan George Forbes, Esq. of Culloden, to Miss Walker.

— At Buenos Ayres, Thomas Fair, Esq. merchant, to Miss Harriott Kendall.

30. At Clyde Bank, the Rev. John Dick, Ratherglen, to Miss Janet Crawford.

ARRIVALS. 1. At Edinburgh, Lieutenant-Colonel Robert Walker, Lieutenant-Governor of Sheerness, to Miss Ewart, Newington.

2. At Edinburgh, J. S. Impey, Esq. to Miss Fenwick.

7. At Cheltenham, Capt. Honeyman, grenadier garde, to Miss Elizabeth Essex Bowen.

8. At Edinburgh, Lieutenant-Colonel Robert Swinton, to Miss Kipthorn.

9. At London, the Honourable William Fraser, to Miss Elizabeth Graham Grant.

10. At Edinburgh, John Boyd, Esq. to Miss Yale.

11. At London, Lieutenant-Colonel Dick, and Highlanders, to Miss Macnab, Arthurstone, Perthshire.

14. James Lang, Esq. W.S. to Miss Dickson.

17. Adam Pringle, Esq. to Miss Jervis.

18. At Hacket-in-the-Forest, Captain Fergus James Graham, Queen's Bays, to Miss Jervis.

21. At Fraserburgh, Dr Charles Leslie, to Miss Fraser.

27. At St Rollands, James Dunlop, jun. Esq. to Miss Grant.

30. At Aberdeen, Captain Hector H. M'Lean, 93d regiment of foot, to Miss Ann M'Leal.

Lately, At Peasebanks, James Bruce, Esq. of Broomhill, to Miss Whitehead.

MAY 5. At Cuckney, the Rev. William Rogers, Roscobie, to Miss Ann Oldham, Milthorpe, Nottinghamshire.

11. At Auchencroive, Thomas Spencer Lindsay, of Hollymount House, county of Mayo, Esq., to Miss Margaret Hester Oswald, Auchencroive.

— At Conan House, the Rev. John Macdonald, Urquhart, to Miss Mackenzie.

12. At London, the Right Honourable Henry Manvers Pierrepont, to the Lady Sophia Cecil, only daughter of the late Marquis of Exeter.

16. At Cork, Captain Thomas Moses, 1st, or Royal Scots, to Miss Gordon.

— At London, Horace Beauchamp Seymour, Esq. to Elizabeth Mallett Palk, eldest daughter of the late Sir Lawrence Palk, M.P.

18. At London, the Honourable Colonel Seymour to Lady Charlotte Sturmondale.

21. At Cheltenham, Sir William Cunningham Fairlie, Bart. of Robertland and Fairlie, to Anne, only daughter of the late Robert Cooper, Esq. banker, Woodbridge.

— At Urquhart, the Rev. Archibald Baird, Auchtermuchty, to Miss Margaret Mudie.

27. At London, the Count de Lusi, of the 1st regiment of Prussian guards, to Miss Maria Giffard, daughter of the Marchioness Dowager of Laudowne.

30. At Penang, John Anderson, Esq. High Sheriff of Prince of Wales' Island, to Miss Mary Alison Carnegie.

JUNE 1. At Fulham, Major-General Sir Thomas Bradford, K.C.B. to Mary Anne, widow of the Lieutenant-Colonel Adair.

— At the house of the British Ambassador, Paris, John Macpherson, Esq. to Marian O'Neill, daughter of John Addison, Esq. Chief Resident of Bauleah, Bengal.

— At Garstake, Sir George Sitwell of

Benjahaw, Bart. to Miss Tait, Harvies-ton.

2. At Edinburgh, J. C. Macleod, Esq. junior of Geanies, to Miss Stewart Sutherland.

3. At Borrowston Mains, the Rev. David Fleming, Carriden, to Miss Ross.

5. James Malcolm, Esq. Gaigend, to Miss Duncan, Parkhill.

8. At London, Capel Handbury, Esq. to Helen, only daughter of the late William Franklin, Esq. and grand-daughter of the celebrated Dr Franklin.

9. At Edinburgh, William Campbell, Esq. M.D. surgeon R. N., to Miss Elizabeth Barnet.

11. At Mamhead, Devonshire, Dr Miller, Exeter, to Ann, daughter of the Right Honourable General Sir George Hewitt, Bart.

13. At London, William Milward, of Waterford, Esq., to Anne, daughter of William Newport, Esq. of Belmont.

15. At Kingston, East Lothian, Daniel Rowland, Esq. of Saxtonbury Lodge, Sussex, to Miss Maitland.

16. At London, the Duke of Leinster, to the youngest daughter of the Earl of Harrington.

At Aberdour-house, Captain William Marshall, to Miss Jane Huntly Gordon.

18. At Edinburgh, William Ogilvie, Esq. younger of Chesters, Roxburghshire, to Miss Alexina Falconer.

At Leabury, Northumberland, Andrew Gibson, Esq. M.D. Bombay, to Miss Elizabeth Annett, Alnmouth.

Robert G. Baillie, Esq. of Culter-lies, to Anna, youngest daughter of the late Menzies Baillie, Esq.

22. In the parish church of Speldhurst, near Tunbridge, Kent, Lord Cochrane, to Miss Catherine Corbett Barnes, late of Bryanstone Street.

At Paisley, Thomas White, Esq. of Sewerston, Ayrshire, to Miss Eliza Macfarlane.

23. At Elie, Fife, Andrew Milne, Esq. Saltily, to Jane, daughter of the late James Burgess, Esq. Fayetteville, North Carolina.

24. At Edinburgh, Richard Duffin, Esq. to Miss Wilson.

26. At Catharine Bank, Patrick Gilles-

pie, M.D. Leith, to Miss Janet Fogg, Ireland.

29. At Sanquhar, Henry Hardie, Esq. M.D. of Manchester, to Miss Wigham.

At Ayr, the Reverend George Bell, of Longformacus, to Mrs Elizabeth Watson.

Lord George Lennex, to Louisa Fredeia, daughter of the Honourable John Rodney.

Alexander Spruce, Esq. merchant, Leith, to Miss Catharine White.

July 1. At Dundee, John Maxwell, Esq. late of Jamaica, to Miss Stormonth.

2. At London, Peter Longford Brooke, Esq. of Mere Hall, Cheshire, to Miss Rowley.

3. Berkeley Buckingham Smith Stafford of Make, in the county of Louth, Esq. to Miss Anne Tytler.

4. At Coventry, Warwickshire, George Gordon Smith, Esq. to Marianne, Baroness de Daubrawa.

6. At Fruitfield, James Clelland, Esq. of Ravenshall, to Miss Elizabeth Mack.

James Spence, Esq. Broughton Place, Edinburgh, to Miss Hughan.

8. At Wooden, Captain Thomas Hood, 76th regiment, to Miss Walker.

9. At Goodochill, the Reverend George Hill, Shottsburn, to Miss Marshall.

13. Lord James Stuart, brother to the Marquis of Bute, to Miss Tighe.

14. At Greenock, Robert Henshaw, Esq. merchant, Glasgow, to Miss Buchanan.

At Dundee, the Reverend John Shaw of Braxdale, Skye, to Miss Colquhoun.

21. At Ayrton, Lord Viscount Cranley to Miss Flyder.

At Edinburgh, Robert Filson, Esq. Madras Medical Establishment, to Miss Hunt.

At Culter, John Gilson, Junr., Esq. W.S. to Miss Catharine Dickson.

23. Captain Crawford, to Lady Barbara Coventry, fourth daughter of the Earl of Coventry.

At Ballachroan, John Macintosh, Esq. of Holm, to Miss Jennie Macpherson, Inverness.

At Banch, the Reverend Alexander Bruce, Episcopal clergyman, to Miss Bartlett.

25. At Kidderpore, Calcutta, Captain R. R. Young, Bengal native infantry, to Miss Hickey.

27. At Cawnpore, Lieutenant Henry John Wood, of the artillery, to Miss Margaret Bell.

28. At Dunkirk, Samuel Christian, Esq. of Amsterdam, to Miss Georgette Susanne Gregorie.

— At Dublin, Walter Steele, Esq. of Monalty, to Maria Sophia, fourth daughter of the late Honourable George Jocelyn.

— At Leith, the Reverend James Beekwith, to Miss Cumming.

29. At London, the Marquis of Bute, to the Lady Maria North, eldest daughter to the late George Earl of Guilford.

— At Barriadale, Colonel Cameron, of the 93th, or rifle corps, to Miss Macdonnell.

*Lately*, At Leith, John Scott, Esq. of Leghorn, to Miss Newton.

— At Barbadoes, Lieutenant-Colonel S. H. Berkeley, 16th regiment, to Miss Murray.

— At London, John Clayton Friesling, Esq. to Miss Mary Cox.

— At Gibraltar, Thomas James Kirkpatrick, Esq. Malaga, to Miss Carlotta Kirkpatrick.

— At Malaga, Cipriano Palafox, Count Jeva, to Mariquita Malvina, eldest daughter of William Kirkpatrick, Esq. Malaga.

AUGUST 1. At Fort Augusta, Jamaica, Lieutenant C. Holland Hales, 2d West India regiment, to Miss Macpherson.

3. At North Berwick Lodge, Major Madox, 6th Inniskillen Dragoons, to Miss Williams.

— At Banff, Captain John Charles Griffiths, 94th regiment, to Miss Elizabeth Blane.

4. At Minicote, near Alloa, Alexander Dewar, Esq. M. D. to Miss Margaret Rosamond Geddes.

— At Glasgow, John Stanley Carr, Esq. 24th foot, to Miss Wallace.

— At Linton, Prestonkirk, Henry Dinning, Esq. Newlands, Belfast, to Miss Grace Rennie.

5. At Whitehaven, Monsieur Lecomte, to Miss Healy.

11. At Green Cottage, near Elgin, Lachlan Mackintosh, Esq. of Balmore, to Margaret, daughter of Sir Archibald Dunbar, Bart. of Northfield.

15. Michael Bruce, Esq. to Lady Parker.

20. At Dumfries, Captain Dugald Stewart, Royal Marine, to Miss Dalziel.

24. At Portofino, John Murray, Esq. W. S. to Miss Ann Jane Borland.

— At Calcutta, J. Campbell, Esq. civil service, to Miss M. F. Douglas.

29. At Bombay, Lieutenant-Colonel D. Leighton, to Isabella Constantia; and, on the same day, Major W. P. Tucker, Deputy Quarter-Master-General, to her sister, Clarissa, two daughters of Henry Thomas Williams, Esq. of Keppel Street, London.

*Lately*, At Edinburgh, Eliza Cathcart, Esq. younger of Alloway, to Miss Janet Dunlop.

— At Seymour Hill, Captain Robert Winchester, 92d Highlanders, to Matilda, daughter of Robert Johnstone, Esq.

— Viscount Normandy, eldest son to the Earl of Mulgrave, to Maria, eldest daughter of Sir Thomas Henry Liddell, Bart.

SEPTEMBER 1. At Boreland, John Forbes, Esq. surgeon, R. N. to Miss Mary Belches Campbell.

7. At Lausanne, Robert Sutherland, Esq. of St Vincent, to Miss Macgregor Murray.

— At Stranraer, Captain John Henderson, of the royal engineers, to Miss Fergusson.

8. At Hutton, Lieutenant-Colonel D. Forbes, to Miss Forbes.

— At Glasgow, John Ayton, Esq. of Inchdarney, to Margaret Ann Jeffray of Craigton, &c.

— At Invermoriston, Thomas Fraser, Esq. of Balmain, to Miss Henrietta Ann Grant.

9. At Edinburgh, Thomas Richardson, Esq. W. S. to Miss Heggie.

10. At Paisley, David Reid, Esq. to Miss C. N. Simpson.

11. At Edinburgh, William Swinton Maclean, to Miss Maclean.

12. At Tenterden, James Grant, Esq. to Miss Caroline Neve.

16. At Halline, Lieutenant Thompson, 79th regiment, to Miss Horne.

17. At Edinburgh, James Kerr, Esq. Quebec, to Miss Kerr.

22. At Ayrton, the Earl Brownlow, to Caroline, second daughter of George Fludyer, Esq. M. P.

25. At Edinburgh, the Reverend John Edward Touch, Maudgery, to Miss Penelope Gray.

26. At Paris, Francis Sitwell, Esq. Barnoor Castle, Northumberland, to Miss Harriet Augusta Manners.

28. At Peterhead, George Anderson, Esq. to Miss Elizabeth Alexander.

— At Montrose, Alexander Ross, M.D. surgeon, R. N. to Miss Sarah Lingard, of Heaton Norris, Lancashire.

30. At Cold Overton, Leicestershire, Hugh Price, Esq. of Castle Madoc, Brecon, to Miss Sophia Brodie.

*Lately*, At Edinburgh, Christopher Kane, M.D. to Miss Campbell.

— At the Manse of Monivaird, the Reverend Dr Henry David Hill, Professor of Greek in the University of St Andrews, to Miss Baxter.

— At Ballynaber, Captain Graham, 87th regiment, to Miss Wright.

— Sir John Boyd, Bart. to Harriet, second daughter of the late Hugh Boyd, Esq.

OCTOBER 1. At Seven Oaks, William Lambart, Esq. to Harriet Elizabeth, fifth daughter of Sir James Nasmyth, Bart. of Pogo, Peebles-shire.

— At the Chateau de Denacre, in France, Lieutenant-Colonel Lord Greenock, to Miss Henrietta Mather.

6. At Manse of Macnoch, William Stuart, Esq. of Invergie, to Miss Helen Stronach.

7. At Corry, Skye, Lieutenant Duncan Henry Mackenzie, Madras horse artillery, to Miss Mary McKinnon.

8. At Barcaldine, the Reverend Mr Hugh Fraser, Archdeacon, to Miss Maria Campbell.

12. At St Andrews, the Reverend Robert Macphair, Ballantrae, to Miss Jane Hill.

14. At Newton, Roxburghshire, Robert Milne, Esq. Langlands, to Miss Catherine Hunter.

— At Fells manse, the Reverend Robert Smith, Newtyle, to Miss Thompson.

20. At Whitburn Church, David Barclay, Esq. to Miss Maria Williamson.

— At Knechnalling, the Reverend Thomas Cunnan, New Spynie, Morayshire, to Miss Kennedy.

24. At Foss, Joseph Stewart Menzies, Esq. to Miss Pollock.

— At Trincknapoly, Captain Edward

James Foote, 7th Madras native infantry, to Miss Begbie.

*Lately*, Lieutenant General Vansittart, to Miss Copson Hams.

— Right Honourable Colonel William Odell, to Miss Anne Maria Finucane.

NOVEMBER 1. At Calcutta, James Dewar, Esq. to Miss Emily Dyer.

— George Stuart, Esq. Captain of the 3d, or Buffs, to Miss Inston.

2. At Biggar, the Reverend Alexander Jack, Dunbar, to Miss Hamilton.

3. At Kinsfare, Staffordshire, the Reverend Dr Booker, to Miss Grant.

9. At Stobo manse, Charles Balfour Scott, Esq. W.S. to Miss Jane Eliza Kerr.

10. At Edinburgh, John Hood of Stonrig, Esq. to Miss Jane Anne Low.

— At Glenfergus, R. Bruce, Esq. to Miss Spottiswoode.

— At Bowland, Samuel Sproull, Esq. to Miss Walker.

16. At Dunkeld, George Fairholme of Greenknow, Esq. Berwickshire, to the Honourable Catherine Elizabeth Forbes, eldest daughter of Lieutenant-General Lord Forbes.

17. At Barmuckitty, near Elgin, Patrick Sellar, Esq. of Westfield, to Miss Ann Craig.

19. At Edinburgh, Captain Nickle, 86th regiment, to Miss Dallas.

20. At Onkeradyke, Patrick Rankin, Esq. of Meikle Drumgray, to Miss Thomson.

— At the Hotel of the British Ambassador at Brussels, Captain Charles Gordon, R. N. to Ann, daughter of the Right Honourable Lord Blaney.

23. At Fife Castle, Dr Duncan Robertson, of Jamaica, to Miss Stewart.

25. At Fiverness, John Jameson, Esq. to Miss Mary Denoon.

28. At Melsetter House, Orkney, Robert Huddle, Esq. late of Seiberg, to Miss Henrietta Woodie.

*Lately*, At Glasgow, Captain Forrester, Bengal artillery, to Miss Hill.

— Sir John Palmer Ackland, Bart. to Martha, relict of Philip Gibbs, Esq.

DECEMBER 3. At Dublin, John Henry North, Esq. to Miss Letitia Dorothy Foster.

— At Eschcarroth, John Pirie, Esq. Kishorn, to Miss M'Lennan.

4. At Cotherington, Hampshire, Stuart Boone Inglis, Esq. to Spolto Char-

late, widow of Major-General James Pringle.

4. At Edinburgh, the Reverend John Glen, Portobello, to Miss Whyt.

7. At Kelso, Alexander Macdowall, Esq. Stranraer, to Miss Gillespie.

8. At Cheltenham, George Barclay, Esq. to Miss Aufrere, of Hoveton Hall, Norfolk.

9. At Edinburgh, William Craig, Esq. W. S. to Miss Margaret Ann McLaine.

14. At Braidwood, Henry P. Palmer, Esq. of Granda, to Miss Mary Ferme.

15. At Dumfries, Walter Ferrier, Esq. W. S. Edinburgh, to Miss Gordon.

16. At Edinburgh, Henry Meredith Jarvis White Jarvis, Esq. to Miss Marjory Campbell.

22. At Harrow, Lauchlan M'Kinnon, Esq. younger of Letterfearn, to Miss M'Dougall.

*Lately*, At London, the Rev. Johnson Grant, Binbrook, to Miss Sherriff.

— At the palace of Corfu, Lieutenant-Colonel Hankey, to Mrs Caterina Vashamo, of Corfu.

— At Sandbury, James Ross, L.L.D. to Miss Smith.

— Rear-Admiral Monkton, to Eliza Patience, only daughter of the late T. Phipps, Esq.

— Sir J. J. Burgoyne, Bart., to Charlotte, daughter of the late Michael Mead, Esq.

slow, Bart. K. G. C. B. Admiral of the Red.

3. At Newburgh, the Rev. David Hepburn, minister of the Associate Congregation there.

4. At his house in Canongate, Edinburgh, James Baillic, Esq. of Culterallers, aged 86.

— At Invergordon, in the 98th year of her age, Mrs Rebecca Robertson, widow of the late Captain John Robertson, 42d regiment.

— At his house in South Castle Street, Edinburgh, Andrew Liddell, Esq. in the 74th year of his age.

— At Cowes, the lady of James Macdonald, Esq. M. P.

— At Aberlady, Mr Robert Paterson, aged 94.

— At Woodhead, near Borrowstounness, Charles Addison, Esq.

— At Aberdeen, Mr William Coutts, merchant, aged 74.

5. At Ochiltree-House, John Johnstone, Esq.

— At her house in Heriot Row, Edinburgh, Lady Hope, relict of the late Sir Archibald Hope of Craighall, Bart.

6. At Drochil Castle, Mrs Marion Tweedie, spouse of James Murray, Esq. of Craighend.

— At Bombay, David White, Esq.

— In the 32d year of her age, the lady of Major Campbell of Strachurr.

— At Cambridge, Laurence Dundas, second son to the Hon. Laurence Dundas.

— At Amfree, in the 89th year of her age, Mrs Christian Menzies, widow of James Fisher.

8. At Little France, parish of Libberton, Mary Porteous, relict of George Knight, late public-house keeper there, in the 104th year of her age. She was born in February 1717, and had 12 children, 53 grandchildren, and 51 great-grandchildren; 68 of whom are now living.

9. At Strathaven, the Rev. John Kirkwood, minister of the Relief Congregation there.

— At Ormly, John Rose, Esq. Sheriff-Substitute of Caithness.

— At York, aged 88, the Dowager Lady Vavasour.

10. At London, General Sir John Floyd, Bart.

## DEATHS.

JANUARY 1. Fell, in a sally from Koregaum, near Poonah, Thomas Wingate, assistant-surgeon to the second battalion 1st native infantry, aged 21.

— At Donmald, Captain James Robertson-Crawford, 21st Dragoons.

— Miss Isabella Blake, daughter of Sir Francis Blake, Bart. of Twisel Castle, Durham.

— In London, Count Zenobio.

2. At Bath, William Balderston, Esq. W. S.

— At Aberdeen, Captain John Coutts, in the 73d year of his age.

— Aged 103, Mrs Park, of Gilbert St. Liverpool.

3. At Southampton, Sir Richard On-

10. At Edinburgh, Thomas Allan, Esq of Linkfield, Westbarns.

— At Bath, John Robertson, Esq. late of Chertwell, aged 75.

— At Jamaica, Mr. James Mackechney, surgeon.

11 At London, Major John Garlies Macculloch.

— At Edinburgh, in his 85th year, Mr James Miller, flover.

— At London, Haimet Jane Leslie Melville, eldest child of the Hon. J. L. Leslie Melville.

12 At Castleraig, Miss Janet Maitland Carmichael, third daughter of Sir Thomas Gibson Carmichael, Bart.

— At Edinburgh Mrs Ballantyne, senior, eldest of the deceased Mr John Ballantyne, merchant in Kelso.

— Captain William Gordon Rutherford, R. N. at the Royal College, Greenwich.

13 At Glasgow in the 53d year of his age, Edward Hazell, Esq. author of those popular papers, entitled, "The Atlantic Stories."

— At Duglop, in Galloway, Walter Paterson, Esq. of Dunlop.

— At his seat, at Cuffield, the Right Hon. George Rose, in the 80th year of his age.

— On board the William Pitt East Indiaman, William Hall, Esq. a partner in the house of Messrs Palmer and Company, Calcutta.

14 Killed, at Ceylon, Lieutenant John M. Laing, 73d regiment.

— At Glenforsa, island of Mull Lishlan Macquarrie of Macquarrie. This remarkable hospitable Chieftain was seldom confined by any sickness till the time of his death, and he died at the age of 101.

— At Carronhouse, John Ogilvie of Gairloch, Esq.

15 At London, Alexander Brodie, Esq. father to the Marchioness of Huntly.

— At Edinburgh, Janet, eldest daughter of Alexander Macdonald of Boudale, Esq.

— At Greenock, Mrs Christian Alexander, widow of the Rev. John McQueen.

16. At Old Windsor, greatly lamented, the Right Hon. Lord Walsingham, of Merton-Hall, Norfolk.

— At Maaswelltown, Mrs Euphemia Stewart, wife of Mr Zachariah Cowan.

10 At Tours, John Hamilton, Esq. of Bardowie.

— At Stewart Lodge, Fife, Miss Lindsay Stewart.

— At St Vincent's Robert Manners, Esq.

17 At Rosbank, near Falkirk, James Henderson, Esq.

— At Edinburgh, Donald Cameron, Esq.

18. At Byth, in the 94th year of her age, Mrs Elizabeth Urquhart, of Byth.

20. At Musselburgh, in the 36th year of his age, Captain James Stirling, late of the 42d regiment.

— At Ldinburgh, Mrs Euphemia Preston, wife of Robert Preston, Esq. of New Sidney Place, Bath.

— At Edinburgh, Hugh Ross, Esq. of Kern.

21 At Lath, Mrs Magdalene Ferguson, eldest of Francis Sharp late comptroller of the customs there.

— At West Calder, in the 85th year of his age, John Jackson, Esq. of Torphin.

22 At Membein, in the parish of Elgin. Ann Garrow, at the very advanced age of 105 years.

— At Barns, Patrick Macneight, Esq. of Barns, aged 75.

— At Aberdeen, Mrs Ann Brown, spouse of Dr James Brown.

23 At Fern Tower, Miss Esther Caroline Bawd.

— At her house, Greenhead, Glasgow, in the 88th year of her age, Mrs Mary Campbell, widow of the Rev. George Lawrie, D. D.

— At Kilsnoo, the Rev. John Hoyer.

— At Greenock, James Park, Esq.

24. At Edinburgh, Robert Beatson, Esq. J. L. D.

— At Craig, Robert Gordon, Esq. of Craig.

25. At Edinburgh, Mr William Baillie, accountant to the British Lign Company.

— At Edinburgh, Andrew McFarlane, Esq. late of Jamaica.

26. At Lauder, Mr Robert Valence, late chief Magistrate of that burgh.

— In the 35th year of his age, Mr Alexander Thomson, Lieutenant in the Durham militia.

— At Aston Toller, Avonshire, Mrs Stewart.

87. At Bentley Priory, Stanmore, John James Hamilton, the Most Noble the Marquis of Abercorn.

— At Balloch, the Rev. William Arbuckle, minister of the parish of North Uist.

— At Portsoy, Mr John Reid, merchant there, in the 85th year of his age.

28. At Madras Roads, Lieutenant Alexander Pringle Russell, youngest son of the late Colonel Russell of Ashiesteel.

— At Forres, Alexander Frazer, Esq.

— At Edinburgh, Sir John Carmichael Anstruther, of Anstruther and Carmichael, Bart. M. P.

29. James Aitken, Esq. of Springfield, St. Ann's, Jamaica.

— Sir Claude Champion de Crespigny, Bart.

30. At Glasgow, Mrs Jean Blair, relict of the deceased John Craig of Auchinairn, Esq.

— At Glasgow, Mrs Mary Wilson, relict of the deceased John Anderson of Kingsfield, Esq.

31. At Sydenham, near Kelso, George Haldane, Esq.

FEBRUARY 1. At his seat, Ampthill Park, Bedfordshire, the Right Hon. John Fitzpatrick, Earl of Upper-Ossory, Baron Gowran, and a Peer of England.

— At Stonehaven, the Rev. Robert Meness, Episcopal clergyman there, aged 91.

— At Breckonhill, James Carruthers, Esq.

3. At Edinburgh, Mrs Marjoribanks, widow of the late Edward Marjoribanks, Esq. of Leas.

— At Edinburgh, Mrs Elphinstone Primrose, widow of James Rollo, Esq.

— In Dublin, at the advanced age of 98 years, in the full possession of all her faculties, Eleanor, Dowager Lady Palmer.

— The Dowager Viscountess Arbuthnot.

— Charles Dufley Pater, Esq. Rear-Admiral of the White.

9. At Edinburgh, Mrs Jane de Morgan, relict of Duncan Buchanan, Esq. surgeon.

— At Kennoway, Mrs Seton, relict of Captain David Seton.

— At Drogheda, the Most Rev. Dr O'Reilly, Catholic Archbishop of Armagh, and Primate of all Ireland.

9. At Brompton, Colonel Richard Fleming, in his 79th year.

10. At Wiltton Burn, near Hawick, Roxburghshire, a well-known and worthy character, Mr James Hart, farmer, commonly called "Hart of Harts," aged 63, sincerely lamented by a large circle of farmers, friends, and relations. It was said of Mr Hart, when 25 years of age, that he stood 6 feet 3 inches, and weighed 33 stones, and was allowed to be the strongest man in Scotland since the days of the renowned Sir William Wallace.

— At St. Lucie, Mrs Mary Russel, wife of John I. J. Alexander, Esq. of that island, and relict of the late Hon. Robert Cullen, one of the Lords of Session and Justiciary in Scotland.

11. At Glasgow, in the 49th year of her age, Mrs Elizabeth Johnstone, spouse of David Machaffie, Esq. merchant.

— At Keoldale, in the 78th year of her age, Mrs Barbara Mackay, widow of Major John Scobie of Melness.

12. At Edinburgh, George White, Esq. one of the magistrates of that city, aged 70. He has left the following legacies to charitable and pious institutions: Edinburgh Bible Society, 150l.; Edinburgh Missionary Society, 150l.; Edinburgh Bible School Society, 150l.; Destitute Sick Society, 100l.; Edinburgh Magdalene Asylum, 100l.; the Poor of Bristol St. Congregation, 120l.; the Free School of Bristol Congregation, 100l.; Orphan Hospital of Edinburgh, 50l.

— At Edinburgh, Mrs Catharine Dunbar, widow of the late Thomas Wedderburn, Esq. aged 96.

13. At Dunnichen House, Forfarshire, in the 86th year of his age, George Dempster, Esq. of Dunnichen.

— At Calcutta, James Rattray, Esq. Judge of the circuit in the Dacca division.

— At Melville House, Jane, Countess of Leven and Melville.

— At Torbreck, in the 76th year of her age, Mrs Fraser of Torbreck.

— At London, Sir William Fraser of Leadclune, Bart.

— At Milton, Urr, Mr John Copeland.

— At Blackhouse, Mrs Mary Bell, at the advanced age of 91 years.

15. John Rutherford, Esq. writer, procurator-fiscal for the county of Perth.



12. At Glasgow, Mr James Laird, merchant there.

— At Nuddingong, & the East Indies, in the 22d year of his age, John Ross, M. D.

13. At Edinburgh, Dowager Lady Sinclair of Murkle.

— At Kirkcaldy, James Ridgely, Esq. of Cairston.

— At Midillegill, William Ewart, Esq. of Allershaw.

17. At Springwoodpark, Mary, daughter of the late Admiral Sir J. Douglas, Bart.

— At St Andrews, Lieutenant-Colonel John Macgill, late of the 19th regiment.

18. At London, Dr Dacosta, member of the Geological and Wernerian Societies.

— At the manse of Ettrick, the Rev. Charles Paton.

19. At Kilwhanidy, John Martin, Esq. of Kilwhanidy.

20. At Powder Hall, Mrs Christian Simpson, wife of Captain Rattray.

22. At Glasgow, James Gairdner, Esq. merchant, aged 83.

23. At Edinburgh, Captain Edwin Horsburgh, one of the Minden heroes, aged 82.

— Miss Margaret Northesk Lindsay, youngest daughter of the late James Lindsay Carnegie, Esq. of Boysack.

24. At Glasgow, Charles Hutchison, Esq. merchant.

— At Newfoundland, Admiral Pickmore, commander in chief on that station.

25. At Geneva, Robert White Melville, Esq. of Strathkinness.

— Lieutenant-Colonel George Robertson, late of the Canadian Fencibles.

— Sir George Cranfield, Berkeley, Admiral of the White, only brother of the late Earl of Berkeley.

26. At Aberdeen, Sir William Seton of Pitmedden, Bart. aged 71.

26. At Nassau, New Providence, James Calder, Esq.

— Killed at the storming of the Fort of Taluier, in the East Indies, Major John Gordon, of the 2d battalion Royal Scots.

28. At Edinburgh, Miss Isabella Hutton of Elgths Houses, aged 95 years.

28. At the Havannah, Lieutenant Thomas Sibbald, R. N.

*Lately*, at Chelsea, James Glenie, F.R.S. — At Hampton Court Palace, the Right Hon. Lady Caroline Herbert, sister to the late Duke of Manchester.

— At London, Lieutenant-General William Souter Johnston.

— At Colchester, Lieutenant John Andrews, in the 98th year of his age. He had been in various engagements, amongst which Dettingen, Fontenoy, and Culloden, were those wherein he had principally distinguished himself, in the former of which he served as orderly man to his present Majesty's grandfather, George II.

— At his house, Lower Belgrave Place, Piccadilly, Mr Robert Palmer, of Drury-Lane Theatre.

— Suddenly, at Havre-de-Grace, Captain G. R. Douglas, R. N.

MARCH 1. At the island of Gozo, Malta, in the 78th year of his age, Archibald Dalryell, Esq. chief magistrate there.

— At Maheeldipoor, in the East Indies, Captain Harry Norton, 19th Madras Native Infantry.

3. In Camp, near Poonah, Lieutenant Joseph Taylor; 91 batt. 17th, or C. L. I. Madras establishment.

4. At Juzievar, Mrs Catherine Sands, wife of James Hasrowar, Esq.

5. At Edinburgh, Mr Sylvester Doig, bookseller.

— Mrs Filton of Park, in the 73d year of her age.

6. At Bromley, in Kent, aged 60, John Gifford, Esq. many years one of the Police Magistrates of London.

— At Tunbridge Wells, John Viscount Kelburne, eldest son of the Earl of Glasgow.

7. William Gray, Esq. of Heathrey-Hall.

— At Stirling Castle, D. J. French, Esq. ordnance storekeeper.

— Lady Caroline Wrottesley, wife of Sir John Wrottesley, Bart.

8. At London, the Hon. J. A. Stuart Wortley Mackenzie.

10. At Peterhead, the Rev. Dr George Moir.

— At Charlestown, South Carolina, Mrs Christians Boston, spouse to Tucker Harris, Esq. M. D.

11. At New Strelitz, her Serene Highness the Princess Maria Louisa Albertine, widow of the Landgrave George, of Hesse Darmstadt.

13. At Campfield, John Strachan, Esq. aged 94.

— At Peebles, Miss Elizabeth Dick, aged 94, daughter of the late Rev. Mr James Dick, one of the ministers of Glasgow.

— At Cunninghamhead, Mrs Snodgrass.

14. At London, Miss Henrietta Finch, daughter of the late Lady Charlotte Finch.

— At Brechin, in the 97th year of her age, Mrs Margaret Fergusson, relict of the Rev. Patrick Turnbull.

15. At Edinburgh, Hector Macneill, Esq. the well-known author of "Will and Jean," and other works.

— At Madeira, the Hon. John Perceval, eldest son of Lord Arden.

16. At Edinburgh, Sir John Stirling of Glorat, Bart.

— At Greenwich, in the 88th year of her age, Ann, widow of Lieutenant-General Forbes Macbean.

17. At Keith, Banffshire, from the bursting of a blood-vessel, Major Peter Grant, late of the 92d regiment, or Gordon Highlanders.

18. At Edinburgh, Henry D. Goodell, Esq. late surgeon of the 89th foot.

19. General the Hon. Cappel Norton.

20. At Glasgow, Mr James Denholm, of the Glasgow Academy, aged 45.

— At the Cairn of Lochryan, Lieutenant James Adair, R. N.

— At Airdrie-House, in the 88th year of her age, Miss Aitchison of Rochsalloch and Airdrie.

— At Bristol, Lieut.-Col Henry Balfour, of the East India Company's service.

21. At Glasgow, Dame Frances Shaw Stewart, widow of the late Sir John Shaw Stewart, Bart. of, Greenock and Blackhall.

— At Anstruther, in the 81st year of his age, after 13 years' illness, Mr Daniel Conolly, late Treasurer of Craik, and formerly a serjeant in the 28th regiment of foot. He entered into the army at an early age, and was at the taking of Louisbourg in the year 1758, at the siege of

Quebec in 1759, and on the field when the gallant General Wolfe fell.

23. At Greenock, John Kippen, Esq. in the 56th year of his age.

— At Forfar, Ellice David Adam, merchant, aged 86 years.

24. Humphrey Repton, Esq. long known by his taste in landscape scenery, and picturesque gardening.

25. At Edinburgh, Mr David Low, late of Dundee, aged 95. His wife died two years ago, aged 84, after having lived together 65 years.

26. In Lincolnshire, Sir Thomas Moncrieff of Moncrieff, Bart.

— At Edinburgh, Mr George Wardlaw, surgeon.

27. At Stirling, Dr Thomas Rind.

— At Aberdeen, Mrs Clementina Gordon, in the 89th year of her age.

— At Edinburgh, Captain Alexander Grant Clugston.

28. Mrs Euphemia Young, wife of John Young, Esq. younger of Bellwood.

— At Calcutta, Thomas Abraham, Esq. of the Civil Service; also, Alexander Gordon Caulfield, Esq. of the firm of Messrs Palmer and Co.—They were unfortunately drowned in attempting to cross the river in a gale of wind.

30. On his passage home on board the William Pitt, East India-man, Archibald Seton, Esq. of Touch.

31. On his passage from Madras to England, Major-General Sir John Calverley, K.C.B.

— At Calcutta, Brigadier-General Philip D'Auvergne.

Lately, At London, the Right Hon. Lady Mary Ker, third sister of his Grace the late John Duke of Roxburgh.

— At Cannock, in Staffordshire, in the 89th year of his age, Mr John Sheet, one of the very few remaining soldiers of those employed under General Wolfe at the siege of Quebec.

— On his passage to Ceylon, Lieutenant-Colonel Erskine, youngest son of Lord Erskine.

APRIL 1. At London, William Preston, Esq. in the 77th year of his age. The leisure hours of this gentleman were devoted to the study of Freemasonry as a science; and his "Illustrations," a work well known to the fraternity, will tran-

omit his name with honour to posterity.

1. At Aberdeen, the Rev. Adam Anand, Episcopal clergyman, St John's Chapel.

— Lady Ann, wife of H. Hudson, Esq. and daughter of the Marquis of Townshend.

2. At Glasgow, Claud Hamilton, Esq. collector of customs.

— At Aberdeen, William Knowles, of Easter Skene, in the 81st year of his age.

3. At Delnace, near Nairn, in the 104th year of his age, John Reid, supposed to be the oldest soldier in his Majesty's dominions, having entered the service in the 2d battalion of the Royal Scots 68 years ago. His first encounter with the enemy was in 1743, at Dettingen. In 1745, he fought at Fontenoy. In 1746, he fought with his regiment at Culloden. In 1749, he was one of the storming party at the murderous encounter at Waul in Holland. His last appearance in the field of honour was in 1759, on the heights of Abram, where the immortal Wolfe fell.

— At Edinburgh, Mrs Tod, widow of Lieutenant-Colonel Charles Tod of Dryburgh.

— Lieutenant-Colonel Colville, in the 71st year of his age, Commandant of the Royal Hibernian Military School, Phoenix Park, Dublin.

4. At London, Mrs Robert M'Brair, second daughter of the Rev. Dr Johnston, North Leith.

— The Hon. General Henry St John.

5. At the manse of Alves, the Rev. William Macbean.

6. At Glasgow, John Robertson, Esq. long a distinguished member of the Society of Friends.

— At Melbourne House, Viscountess Melbourne.

8. Emily, Countess of Bellamont.

9. At London, James Lawson, Esq. F. R. S.

10. At Bonnington Park, James Paterson, jun. Esq. merchant, Leith.

— At Glasgow, Mrs Elizabeth Gilmour, widow of the late Hugh Morton, Esq. of Greenbank.

— Aged 90, Henry Duncombe, Esq. of Coggeshall, near Knaresborough.

10. The Rev. James Oliphant, minister of Dumbarton, in the 84th year of his age.

— At Calcutta, Georgiana, third daughter of Colonel Macleod of Colbeck.

11. At the manse of Wemyss, the Rev. George Gibb.

— At Morton Bank, John Thomson, Esq. aged 77.

12. At Ratho House, Mrs Christian Crawford of Cairnaburn.

— In the guard-room of Kinross jail, in extreme wretchedness, Andrew Nicol, well known in the Court of Session and caricature-shops under the name of the *Kinross Lawyer*. From a tradesman in easy circumstances, and of decent character, he reduced himself, by his most litigious and quarrelsome temper, to the state of a beggar, and finally an outcast from all society. Rather than give up his pretended rights to the famous *midden-stead*, he obstinately refused all supply from the poor-funds of his native parish; and, in order that he might retain what he conceived would be the means of bringing him once more within the walls of the Parliament-House, wandered about from place to place, until at last, from his habits of life, and his habits both of body and mind, he became such a nuisance, that, disowned by every relation, and shut out from every house, it was found necessary to convey him to the common prison, which he quitted only for that asylum, "where the wicked cease from troubling, and where the weary are at rest."

14. At Aberdeen, Dr James Allan.

15. At Edinburgh, Miss Elizabeth M. Rose, daughter of the late Lord Anker-ville.

20. In Kent, Captain Peter Rolland, East India Company's service.

21. At Richmond, Surrey, Captain Edward Cumming, brother to the late Sir A. P. Cumming Gordon of Altyre, Bart.

22. At Topham, in the 78th year of his age, Captain Carter, R. N.

23. At Avignon, Colin Macdonald Buchanan, younger of Drumnakill.

24. At Westfield, near Cupar, Henry Walker of Pittencreef, Esq.

25. At Edinburgh, Mr Andrew Bell, late farmer at Hillhead, county of Edinburgh, aged 74. This gentleman was

One of the few survivors who fought under the banners of the 23th, or Edinburgh regiment of foot, at the battle of Minden.

25. In London, Lieutenant-General Sir Robert Gladstones.

27. The Rev. James Scott, late senior minister of Perth, at the advanced age of 83.

28. Mr Robert Wilson, merchant in Leith.

— At Gartur, John Graham, Esq.

30. At Berwick upon Tyne, Mrs Barbara Hodgson, aged 88.

— At Princesfield Links, Edinburgh, Mrs Margaret Findlay, widow of the late James Bell, Esq. Finglen, Campsie.

MAY 1. At London, the Hon. J. Douglas, grandfather to the present Marquis of Abercorn, father to the Countess of Aberdeen, and son-in-law to the Earl of Harwood.

— At London, John Crawford, Esq. late of Monrohan, Perthshire.

2. At Kinloch, Mr Hog of Kinloch.

— At his house in the Admiralty, Rear-Admiral Sir George Hope, K. C. B. late one of the Lords of the Admiralty.

3. At Glasgow, Mr James Russel, jun. grocer, High St. Mr Russel has left the following donations:—To the poor of the Relief Chapel, Campbell Street, Glasgow, 200l.; Sabbath Evening Schools, 50l.; to the Royal Infirmary, 150l.; to the Lunatic Asylum, 50l.; to the poor of his native parish, Falkirk, 50l.

4. At Brechin, the Rev. Mr Will, minister of Guthrie.

— At Stroud-on-the-Green, near Kew, William Mactavish, Esq. of Dunardry.

— At Gortnagully, near Dungannon, John Woods, an industrious farmer, at the advanced age of 122 years. He was born in the year 1696, in the reign of William III.; of course he has lived in the reigns of five successive monarchs.

5. At Edinburgh, Mrs Alison Hay of Haystown, in the 90th year of her age.

7. At Florence, Lady Campbell, wife of Sir Gay Campbell, Bart.

— At Fernie, Francis Balfour, Esq. of Fernie.

8. At Edinburgh, in the 79d year of his age, Alexander Robertson, Esq. of Ettrick-hall.

9. At Edinburgh, Colin Mackay, Esq. in the 83d year of his age.

9. At Edinburgh, Thomas Brown, Esq. of Waterhead, aged 82.

10. At Hamilton, John Torrance, Esq. Sheriff-Clark-Depute for the middle ward of Lanarkshire.

— On his passage from Leith to Aberdeen, Captain James Stevenson, (1st.) R.N.

11. At Bombay, Major Hugh Scott, Deputy-Adjutant-General of the Madras Army; and on the 2d June last, at Cannanore, Captain John Scott, Assistant-Adjutant-General of the Madras army, both sons of the late Francis Scott, Esq. Edinburgh.

— At Burdhouse Mains, Mr Alexander Peacock, architect, aged 83.

13. At Edinburgh, in the 73d year of his age, Mr William Scott, teacher of elocution and geography.

— At Edinburgh, Captain David Hewan, 21st foot.

— At Wilson Park, Portobello, John Philip Donaldson, Esq. surgeon.

14. At Walkhampton, John Williams, at the advanced age of 160. He was the eldest of eighteen sons, of Jane Williams, late of Brenton, Devon, (who died in her 111th year,) seventeen of whom are alive and in perfect health, and their joint ages amount to 1379 years.

— At Edinburgh, Mrs Arbuthnot, relict of Robert Arbuthnot, Esq.

15. At the manse of Carlisle, Mrs Walker, wife of the Rev. James Walker, minister of Carnwath.

— At Arton Cottage, near Inverness, Mrs Mackenzie of Lentrán, aged 77.

16. At Maybole, Mrs Margaret McClymont, wife of the Rev. Charles Logan.

— At Gadsby, near Leicester, Eliza, wife of Lieutenant-Colonel Cheney, of the Scots Greys.

17. At Glasgow Mrs Taylor of Kirktonhill.

18. At London, James King, Esq. of Millbank.

— At Mülholm, near Lougholm, in the prime of life, William Keir, Esq.

— At Eden Farm, in the 60th year of her age, Eliza, widow of the late Lord Auckland.

19. At Edinburgh, Mr Charles Hunter, eldest son of Lieutenant-General Hunter of Burnside.

19. The Hon. Mrs Grenfell, Lady, of Pascoe Grenfell, Esq. M. P. and sister of Lord Viscount Doneraile.

21. At Romp, in the 16th year of his age, George Montagu, 4th Earl of Sandwich.

— At Friendville, Mrs Shireff, wife of the Rev. Dr. Skirfe.

— At Southerden, near Kirkcaldy, John Douglas of Piffkerton.

22. At Main Common, Surrey, Hannah, eldest daughter of the Right Hon. Sir John Sinclair of Ulster, Bart.

— At Peak Hill, Waltham Abbey, Captain Richard Dale, 84th regiment.

31. In Portman Street, London, Dr William Ord.

At Ayr, Major William Montgomerie, late of the 37th regiment of foot, aged 87. He was one of the few surviving heroes who fought at the battle of Minden, at which he commanded the grenadier company of the above regiment.

24. At Siston, in England, aged 100, Richard Kew, a pauper.—He lived to be grandfather to a grandfather, being five generations.

— At Newton-upon-Ayr, Lieutenant John Ferguson, late of the 65th regiment, aged 89.

— At Edrom House, George Logan, Esq. of Edrom.

23. At Portobello, Mrs Blackwood of Pitreavie.

26. Ludovick M'Bean, Esq. of Tomatin, aged 79 years.

28. At Vienna, in his 83d year, the celebrated Baron Thugut.

— At Kiltrenny manse, the Rev. Joseph Duncan.

— Augusta Georgiana Elizabeth, widow of the late Thomas Lord Walsingham.

29. At the siege of Mullisagum, Captain William Kennedy.

30. At Barbadoes, of an apoplectic fit, the Hon. George Maynard, Chief Justice of the Court of Common Pleas.

— At Ardrossan, Archibald Ewing, Esq. late of Glasgow.

— Sir Isaac Hawkins Browne.

31. At Montrose, Dr James Ross.

— At London, Anne Lady Murray, widow of the late Sir John Murray, Bart. of Blackbarony.

*Lately*, At Dublin, Sir Richard Musgrave, Bart.

*Lately*, In Charterhouse Square, London, Mrs Tait, wife of Mr William Tait, of St Paul's Church-yard.

— At Limehouse, John Macgeorge, Esq. captain, R. N.

— At Gibraltar, Joseph Larcum, Esq. late a Captain and Naval Commissioner of the island of Malta.

— The Rev. James Macauley, minister of the Seceding Congregation of Castleblaney, aged 80.

— At Scaforth House, James Arnott, Esq. of Edinburgh, Surgeon, R. N.

JUNE. On his passage from Bengal to the Cape of Good Hope, Captain Donald Macleod, Bengal artillery service.

1. At Campie House, David Milne, Esq. father of Rear-admiral Sir David Milne, K. C. B.

2. At Cornhill, Sir Francis Blake, Bart. of Twizel Castle and Tilmouth, aged 81.

— James Cobb, Esq. Secretary to the Hon. East India Company.

4. Mr William Watson of Capel Street, Dublin, one of the oldest and most respectable booksellers in Ireland.

— At Salem, Madras Presidency, Charles Carpenter, Esq. commercial resident at that place.

5. At Haddington, David Gourlay, Esq.

— At Culdees Castle, Mrs Drummond of Drummawhance.

— At Edinburgh, Lieutenant John Douglas of the royal invalids, aged 84.

He served under General Wolfe at Quebec.

— At Manor House, Old Windsor, Lieutenant-Colonel Sir William Osbourne Hamilton.

— At Kelso, in his 64th year, Mr William Smith, writer, long chief magistrate of Kelso.

— At Kilmarnock, Mrs George Young, in the 94th year of her age.

— At Exmouth, in his 76th year, the Right Hon. John Leake, Baron Bird Newark.

6. At Burntisland, Mr John Thomson, aged 88.

7. At Brussels, Mrs Creevy, wife of Thomas Creevy, Esq. M. P.

8. At Inverary, Sir Humphrey Trafford Campbell of Aaknish.

— At Hermiton, Miss Newton of Curriehill.

11. At Edinburgh, Francis Napier, Esq. W.S.

11. At Cortachy Castle, the Countess of Airly.

— The Right Hon. Viscountess Althorpe.

— At London, of a mortification of his stomach, the Right Hon. John Hiley Addington, brother of Lord Viscount Sidmouth.

12. At Exmouth, aged 76, Lord Newark.

— At Inverness, in the 60th year of his age, Robert Nicholson, Esq.

13. At Arbroath, Mr. James Ramsay, merchant.

— At Maracaibo, island of Cuba, John Christie, M. D. of Glasgow.

14. On board his Majesty's ship Forth, upon the Halifax station, Lieutenant Alexander Home, R. N. third son of the Earl of Marchmont. Lieutenant Home was six feet two inches in height, and the strongest man on board the ship.

— At Edinburgh, John Gordon, Esq. M. D.

— At Canaan Park, Mr Ralph Hardie, writer in Edinburgh.

— At Aberdeen, Mrs Harvey of Braco.

15. At Cornbarrow, Mr Alexander Gibson, aged 94.

— At Oggar Bank, Cumberland Reid, Esq.

In Ruthwill village, Dumfriesshire, William Gillespie, an old Chelsea pensioner. By his own account he was 106 years of age.

17. At London, John Elford, Lieutenant-General of St John's Newfoundland, formerly of the 51st regiment.

— At Gourdie, David Kinloch, Esq. aged 82.

— At Glasgow, Mr Cornelius Todd, merchant.

18. At Underwood, Mr George MacLagan.

— At Stranraer, in the 90th year of his age, Mr James Carmichael, late parochial schoolmaster there.

— At Armonoch of Parton, Mrs Jane Dymple.

19. At Lennel House, Patrick Brydone, Esq.

— At Kirkmaiden, the Rev. Thomas Young.

20. At Hornclyff, Alexander Home, Esq. formerly of Bassendeth.

— Hedwig Elisabeth Charlotta, Queen Dowager of Sweden and Norway.

21. At Jedburgh, Major John Murray, 90th regiment.

— Mrs Macnamara, relict of the late John Macnamara, Esq. of St Christopher's, and mother to the present Lady Cranston.

22. At Eaglesham, Hugh Montgomery, Esq. of Bogton, aged 87.

23. At Oreston, near Plymouth, in his 80th year, Lieutenant John Borrows, of the Royal Navy, in which he served 41 years, 56 of which were as a Lieutenant. Excepting three in Greenwich Hospital, he was the oldest in the Lieutenants' list, and preferred continuing so, though twice offered the rank of a Master and Commander.

— At Edinburgh, Mr John Johnstone, writer.

— At Edinburgh, Lieutenant Allan McLean, 79th regiment, eldest son of Mr D. Maclean, W. S.

— At Springfield, near Chaville, county of Cork, the Right Hon. Baron Muskerry.

— In Dublin, the Countess of Beville.

26. At Rosehill, near Manchester, Adam Murray, Esq.

— At Roxburgh manse, Mrs Bell, wife of the Rev. Andrew Bell.

— At Cumbernauld, the Rev. George Hill.

29. At Birgham Cottage, aged 80 years, Mrs Christian Bell, relict of the late Rev. Adam Murray of Eccles.

— At Chicksands Priory, Bedfordshire, in the 77th year of his age, General Sir George Osborne, Bart.

— Sir Thomas Moncrieff, Bart. Lancashire.

— Sir John Anstruther, Bart. M. P.

JULY 1. At Greenock, Thomas Bisset, Esq. Deputy Assistant Commissary General.

2. William McCracken, Esq. of Lochvale, writer in Dumfries.

3. At Sand-lodge, Shetland, Mrs Bruce of Sumburgh.

— At Bombay, D. Carnegie, Esq. member of the Medical board there.

4. At Wardhouse, near Modtrose, Mr David Jolly, in his 80th year.

— At his house, Hampton Court Green, Francis Thomas Fitzmaurice, third Earl of Kerry.

5. At Cobham Park, Surry, Alderman Harvey Christian Combe.

6. At London, the Right Hon. Lady Elizabeth Richardson.

7. At Sunning-hill, Berks, Lady Lindsay, widow of General Sir David Lindsay, Bart.

— At Preston Grange, the Countess of Hyndford.

— Thomas Brown, Esq. of Johnston-burn, East Lothian, aged 82.

8. At Linlithgow, Alexander Learmonth, Esq. of Crossflatts.

— At Ferrybridge, Yorkshire, Lieutenant-General William Simson of Piteorothy.

9. In London, Mrs Drummond, relict of George Drummond, Esq.

10. At Springhill, Thomas Nesbit, Esq. of Mersington.

— At Coolmine, Alexander Kirkpatrick, Esq. Alderman of the city of Dublin.

11. At Edinburgh, Mrs Mary Mansfield, wife of William M'Kenzie, Esq. W. S.

— At Glasgow, Mr Hamilton Macfarlane, merchant.

12. At Leith, Alexander Shirreff, Esq. merchant there.

13. At Edinburgh, Mrs Elizabeth Constable, wife of Robert Cadell, Esq. bookseller.

14. At Lisburn, Ireland, Edward M'Givern, aged 114. His wife is still living and healthy, in Lisburn, aged 109.

15. At the manse of Buncle, the Rev. John Campbell.

16. At Ferney Green, Westmoreland, Robert Allan, Esq. banker in Edinburgh, aged 72.

— At Allahabad, Henry Gibson, Esq. resident surgeon there.

17. At London, William Morrison, Esq. late of Calcutta. He has bequeathed to the poor of his native parish of Campsie, L.100; to the British and Foreign Bible Society, L.800; and to the Society in Calcutta for educating the Native Indians, L.100.

18. At the manse of Glenquick, the Rev. George Brown.

— At Argyll House, London, the Right Hon. Lady Caroline Catherine Gordon, second daughter of the Earl of Aberdeen.

19. At Edinburgh, William Jeffrey, Esq.

— At Kilgraston House, in the 13d year of his age, Francis Grant, Esq.

20. At Padang, in the island of Sumatra, of a violent fever, incurred by fatigue, Joseph Arnold, M. D. F. L. S. aged 37, a native of Beccles, in Suffolk, who, after having circumnavigated the globe, and visited its most remote regions in pursuit of natural history, fell at last a victim to his intense ardour for this science, the love of which led him to accompany the Hon. Sir Stamford Raffles to that pestilential island.

21. At Paisley, the Rev. Joseph Kirchen, one of the ministers of the Wesleyan connexion.

— At New Galloway, after a tedious illness, attended with the most excruciating pain, Mr Robert Heron, weaver, aged 77. He was father to Major Heron, who fell some years ago at the taking of the Isle of Bourbon, and uncle to the unfortunate historian Robert Heron, who died of a broken heart, at London, in the year 1807.

22. At London, the Right Hon. Lowther Pennington, Lord Munster.

— Hon. Andrew Foley, M. P. brother of the late Lord Foley.

23. At Brompton, in the 75th year of her age, Miss Pope, formerly of Drury-Lane Theatre.

24. At Killechieran, Lismore, the Right Rev. Dr. Fneas Chisholm.

— At his house, St James's Square, London, Lord Anson.

AUGUST 1. At Balcelegarno, James Gourley, Esq. in the 83d year of his age.

2. At Balcaskie, Sir Robert Anstruther of Balcaskie, Baronet.

3. At Galway, Ireland, in a room occupied by the band of the 77th regiment, where he had been maintained the last two months, and very humanely attended by three people of his colour, Molyneux, the celebrated pugilist.

4. In London, after a lingering illness, the Right Hon. General Lord Munster, aged 73.

— At Edinburgh, Admiral Alexander Grange, of Grimsball.

— Sir John Barrington, Bart. in his 66th year.

5. At Brighton, the Right Hon. Lady Charlotte Eyre, daughter of the Earl of Newburgh.

— At London, Gilbert M'Leod, Esq.

— At Warsaw, Lieutenant-General Mickielsky, at the age of 106.

76. At the Village of Dunkirk, near Boughton-under-the-Blean, David Fergusson, aged 124. Fergusson was a Scotsman, but had resided in the Village of Dunkirk between 50 and 60 years.

77. In London, in his 50th year, Captain Henry Gordon, brother of the late Major James Gordon, of Northwood, in the Isle of Wight.

8. At Edinburgh, the Hon. Walter Charteris, second son of the Earl of Wemyss and March.

11. At Irvine, in the 79th year of his age, James Innes, Esq. of Warrick.

— Sir Gilbert King, Bart. Ireland, aged 72.

12. At Coleraine, in the 62d year of his age, John Cutlbert, Esq. Surveyor-General of Customs.

— At Hayfield, the Rev. F. M'Lagay, minister of Melrose.

— At the Fort of Callinger, in the Presidency of Bengal, John Wauchope, Esq. second son of Andrew Wauchope, Esq. of Niddrie.

14. At Kilmarnock, at the advanced age of 76, John M'Rae, cooper there. He was only once married, but has left behind him 12 children, 69 grand-children, and 5 great-grand-children; in all, 86 descendants.

— At Aberdeen, in the 70th year of her age, Mrs Chalmers, widow of the late Mr James Chalmers, printer.

— At Paris, M. Millin, a learned antiquary, well known to, and much esteemed by the literati of Europe, with whom he maintained an extensive correspondence.

16. At Brighton, John Palmer, Esq. the inventor of the mail coach system.

— At Carphin, John Rait, Esq.

18. At her cottage, near Craigo, Miss Helen Carnegie, sister of the late Thomas Carnegie, Esq. of Craigo, in the 92d year of her age.

20. At Castlehill, near Dunfermline, Mrs Begbie, wife of Patrick Begbie, Esq.

— At Brijectullao, in the East Indies, Captain J. Ramsay, 21st native infantry.

— At Paris, Sir Francis Goold, Bart.

— The Hon. H. A. Annealey, brother of the Earl of Mountnorris, drowned at bathing at Blackpool.

21. At Meerut, in the East Indies, Lady Donkin, wife of Major-General Sir R. S. Donkin.

21. At Littlecott, Berkshire, Colonel Kellie, C. B.

— At Pimlico, G. C. Ashley, Esq. the celebrated performer on the violin.

22. At London, Capt. Henry Halkett, fourth son of the late Sir John Halkett, Bart. of Pitfirrie.

23. At Perth, George Keir, Esq. of Millearn, M. D.

— At Pitkathley Wells, Mr Charles Ritchie, ironmonger, Edinburgh.

24. At Sandridge Lodge, in Wiltshire, Lord Audley, in the 61st year of his age.

— At Edinburgh, Mr James Went, late leather-merchant, Netherbow, aged 87.

— At Keith, aged 61, Miss Ann Grant, third daughter of the late John Grant of Gallovie, Esq.

25. At Valenciennes, Colonel Sir William Douglas, K. C. B. 91st regiment.

— At Milton, of Durno, in the 78th year of his age, James Garioch, Esq. of Gariochford.

— At London, William Cotterell, Esq. Sword Bearer of the City of London.

26. At St Germain en Laye, the Princess of Montmorency, at the age of 85 years.

— At Glasgow, in the 73d year of his age, Mr John M'Gilchrist, merchant.

— At Daleford House, Worcester-shire, in his 86th year, the Right Hon. Warren Hastings, late Governor-General of Bengal.

27. At Edinburgh, Lady Ann Hope Johnstone of Annandale, wife of Rear-Admiral Sir William Johnstone Hope, K. C. B.

— At Leith, Mr Mungo Henderson, merchant there.

— At Rednock House, Robert Graham, Esq. W. S.

29. At Jersey, Major Wall of the Royal Artillery.

— At Aberdeen, James Hay, an out-pensioner of Chelsea Hospital, at the very advanced age of 103.

— At Stirling, William Arnott, Esq. of St Petersburg.

— At Bannercross, near Sheffield, Lieutenant-General Murray.

30. At Canaan Grove, Edinburgh, Robert Wilson, Esq. accountant.

SEPTEMBER 2. At Calcutta, Andrew Anderson, Esq. of the Hon. East India Company's civil service.



3. At Arbroath, Mrs Kidd, wife of Provost Kidd

4. At Nantes, John Shaw, LL.D. his Majesty's judicial assessor at Mauritius.

— At Mynepoone, on the Bengal establishment, Alex<sup>r</sup> Donaldson, Esq. Lieutenant 11th native infantry

5. At Meath, county of Westmeath, Dr Robert McIlvaine, A.M. of the College of Glasgow and M.D. of Trinity College, Dublin

— At St Asaph's, the Right Hon. James Edward, Lord Cranstoun

— At Inch, by Dunkeld, Captain Alexander Fraser, R.N.

6. At Powderhall, near Edinburgh, Thomas Currie, Esq. merchant in Glasgow

— Charles Grant, Esq. in comment Russian broker, of Globe-road, Mile-end, London

7. At Edinburgh, aged 78, John Boerw, Esq. W.S.

— At Bath, Maria Elizabeth Munroe, wife of Major-General Orde, and sister of the Marchioness of Douglas

— At Buchern the Rev Robert Leath, minister of Louie

8. At Newmann, parish of Inchman, Mr David Smith, 80 in the 90th year of his age.

— At Muircoat, near Allua, William Geddes, Esq.

— At Edinburgh, Mrs Dundas, widow of the Right Hon. Robert Dundas of Arncliffe, Lord President of the Court of Session

11. At Edinburgh, Miss Mary Cunningham Macvicar, youngest daughter of the late Neil Macvicar, Esq. of Fergushall.

14. Mrs Park, wife of Mr Archibald Park, Tobermory, Mull

— At Newton, Ayr, William Wood, Esq. late in Balony.

16. At Ashted Park, Surrey, in the 73d year of her age, the Hon. Frances, wife of Richard Howard, Esq. daughter of William Viscount Andover, and sister to Henry the 12th Earl of Suffolk.

17. The day of his birth, at his seat, Uffington House, near Stamford, Lincolnshire, in the 74th year of his age, the Right Hon. Albemarle Bertie, Earl of Lindsey.

17. At Edinburgh, Mrs Congalton, relict of Dr Charles Congalton.

— On his passage home from India, Lieutenant Cameron Macpherson, late of the 49th regiment

— Miss Sarah Sophia Banks, sister of Sir Joseph Banks.

19. At Canton, Mr Charles More, First Officer of the Hon. East India Company's ship the Duke of York

— At Campbeltown, Capt Alexander Buchanan

— At Newton-upon-Ayr, aged 85, Mrs Ross Willard, widow of Mr Robert Willard

— At Edinburgh, John Robertson, Esq. of Bellmont, St Elizabeth, Jamaica.

— At Lland, John Stewart, Esq. of Lland

22. At Trovan near Crieff, Mrs Marjory Fraser widow of the late Hugh Fraser of Lomavont aged 97

23. At Blair, aged 74, Thomas Mill, Esq.

25. At Ryde, Isle of Wight, Capt Nathaniel Rick, R.N.

— At Canterbury, Captain Alexander Mackintosh, 48th regiment

26. At sea, on his passage from Savannah, where he had caught a fever, Mr James Forbes, merchant in New York, on the 8th October, his son, William, and on the 10th October another son, John, both having taken the infection in dutiful attendance upon their father, who was the youngest son of the late Dr James Forbes, physician in Aberdeen

— At Dublin, the Right Hon. William Earl of Wicklow

28. At Murrayshall, John Murray, Esq.

29. At Bournemouth, Matthew Wulke, Esq.

— At Norton Court, Kent, the Right Hon. Lady Godes

— At London, Mrs Phoebe Lloyd, relict of the late Lord Stonefield.

— Sir J. E. T. Dryden, Bart. of Canons, Ashby, Northamptonshire.

30. At Lausanne, in Switzerland, James Durham Calderwood, Esq. of Portoun.

— In the bloom of youth and beauty, Augusta Matilda, daughter of Lady Perrot. This lady performed as an actress at Bath, Brighton, and other places, under the name of Miss Fitzhenry.

180. At Strachurmore, Dr Ivie Campbell, aged 73.

— At Hermitage House, near Leith, Dowager Countess of Fife.

— *Lately*, At Cheltenham, Sir Gilbert King, Bart.

— At London, David Ogilvie, Esq. aged 82.

— At the Holt, Admiral Sir Robert Calder, Bart.

— At Littlecot, Colonel William Kelly, C. B.

— At Hampstead, aged 79, Lady Colbrooke, relict of Sir George Colbrooke, Bart.

— At Rome, in his 21st year, the Right Hon. Lord Henry de Roos.

— At Paris, Mr Monge, one of the greatest geometricians of the age, and a distinguished member of the French Institute, in his 70th year. He was one of the men of science who formed part of Buonaparte's expedition to Egypt.

— In the United States of America, Sir John Oldmixon, once known in fashionable life, but having retired from this country from pecuniary embarrassment about 25 years ago, he sunk into obscurity, and died neglected and forgotten.

— In Richmond county, North Carolina, aged 125, T. Hatchcock. One of his children is 98, a second 87, and a third sixteen years old!

— At Calcutta, Sir John Hadley D'Oyley, Bart.

— At Greenhill, in the parish of Ruthwell, Andrew Home, in the 76th year of his age. This old man, with his brother, who still survives, and is about ten years older, is among the last of a daring and enterprising race of smugglers, who carried on an extensive contraband trade in Annandale, before the exclusive privileges of the Isle of Man were bought up and regulated by Government.

— At Pisa, where he went for the recovery of her health, the Hon. Charlotte Plunkett.

— Matthew Gregory Lewis, Esq. commonly known by the name of *Monk*, *Leith*.

OCTOBER 1. At Langley Park, Mrs. Gerrard, widow of the late Dr Alexander Gerrard, King's College, Aberdeen, in her 80th year.

1. At Ramsgate, Finlay Ferguson, Esq. F. R. S.

3. In her 79th year, the Right Hon. Dowager Lady Northwich.

— In the Charity Workhouse of Edinburgh, Lachlan Blackbain, commonly known here by the name of *Roasting Jacks*, aged upwards of 100 years.

4. At Cunninghamhead, Mrs Col. Reid.

6. At Kensington, the Hon. Mrs Gourburn.

7. At Fountainhall, Captain Andrew Brown, R. N.

11. At North-Court, Isle of Wight, Captain Bennet, R. N.

13. At Handsworth, Staffordshire, in the 110th year of her age, Ann Smallwood, widow.

— At Glasgow, the Rev. Dr Balfour, of the Outer High Church.

16. Catharine, wife of Robert Davidson, Esq. advocate, Professor of Law in Glasgow College.

— At Lisbon, Lieutenant-Colonel Richard Carrol.

18. At Kirkness, Henry Clephane, Esq. W. S.

— At Dinapore, East Indies, Captain Peter Young, 12th regiment, Bengal native infantry.

19. Near Dublin, in the 66th year of her age, the Right Hon. Catharine, Lady Mount Sandford, relict of the late Lord Mount Sandford.

20. At Lasswade, Alexander Macdonald, Esq. of Boisdale.

— At Ayr, John Campbell Crawford, Esq. of Doonside.

— At Perth, Thomas Black, Esq. late Provost of that city.

22. At Morpeth, Andrew Marjoribanks, Esq. Deputy Commissary-General.

23. Admiral Lidgbird Ball, celebrated for his discoveries in the South Seas.

24. At London, Dr R. Clarke.

25. At Turnault, in Craignish, Major Campbell of Broglen.

26. At Edinburgh, Mrs Eliza Hunter, wife of William Campbell, Esq. W. S.

— At Minto House, Roxburghshire, the Right Hon. William Elliot of Wells.

27. At the Harehills, near Leeds, Yorkshire, Mr Griffith Wright, aged 87. He was, perhaps, the oldest proprietor of a newspaper in this kingdom, if not in the

world, having established "Wright's Leeds Intelligencer," A. D. 1751, nine years before his present Majesty's accession to the throne.

26. At Dee-mount, near Aberdeen, Lieutenant-Colonel F. Black.

29. At Mount Edgemumbe, the Right Hon. Wm. Richard, Viscount Valletort, aged 24.

30. At Grimmet Cottage, near Maybole, John Allinson, Esq. aged 88.

*Lately*, In the 38th year of his age, M. D'Oï of Schwartz. Since the death of Linnaeus, he was the first botanist of Sweden, and one of the most distinguished in Europe.

NOVEMBER In the Nagpour country, East Indies, Mr Edward Bannerman, fourth son of the late Sir Alexander Bannerman, of Aberdeen.

2. At Hatfield, in Yorkshire, Sir Hector Maclean, Bart. of Morvaren, Scotland.

— At his house, in London, Sir Samuel Romilly.

— At Dungannon Park, county of Tyrone, in the 90th year, the Right Hon. Thomas Knox, Viscount Northland.

4. At Glasgow, Stephen Rowan, Esq. of Bellahouston.

5. At Edinburgh, after a short illness, Francis Ronaldson, Esq. Surveyor-General, Post Office.

— At Zurich, aged 92, the widow of the celebrated Solomon Gessner.

6. At Badulla, in Ceylon, Thomas Wylie, Esq. surgeon.

7. At his seat, St Paul's, Woburnbury, Herts, Lieutenant-General William Ponsonby.

8. At Glasgow, John Cochran, Esq. merchant.

9. At Aberdeen, Mr Patrick Barron, merchant, aged 86.

— At Petrazavodsky, Russia, Adam Armstrong, Esq. Director of the St Petersburg, Cronstadt, and Olonets manufactories.

10. At Crombie, aged 79, the Right Hon. Lady Euphemia Stuart, sister to the late Earl of Galloway.

11. At his house in George Square, Edinburgh, Alexander Schaw, Esq. aged 83.

12. At Bhubulpore, East Indies, Captain Alexander Black, of the Bengal army.

13. At Edinburgh, Mrs Maria Christie of Baberton.

— The Rev. Mr William Ramsay, minister of Cortachy.

— At Edinburgh, Mrs Jane Cochran, wife of William Drysdale, Esq. W. S.

11. At his house, Edinburgh, Alexander Gardiner, Esq. Exchequer.

— At Southwoodhouse, near Ramsgate, Charlotte, Dowager Countess of Dunmore.

12. At Edinburgh, Mrs Major Drummond of Vulture, Durlingham.

— At Cupar, Peter Hannay, Esq. of Kingmuir.

— At Portsmouth, Col. George Cuyler, 11th foot

— At Ashby Park, Surry, Richard Howard, Esq. brother of the late, and uncle of the present Lord Bagot.

13. At Aberdeen, William Hector, Esq. surgeon

14. At Arncliffe Place, Edinburgh, Mr Robert Kirkwood, engraver.

— At Perth, Mr John Greig, merchant.

16. At Altona, a companion in arms to Frederick the Great, Count Alexander de Golte.

— At Edinburgh, William Wotherpoon, Esq. accountant.

— At Sanguhar, at the advanced age of 102 years, William Marshall, tanker. His father, also named William, lived to the extraordinary age of 121, and was long at the head of a desperate gang of gypsies.

— At his house, near Kirkwall, Malcolm Laing, Esq. of Strynnie.

17. At Warriston Crescent, Edinburgh, Captain James Fiddie.

— At Calpee, near Cawnpore, Lieutenant Hutton Watkins, 1st Bengal native infantry.

18. At London, Mr Alderman Godebehere.

— At Honey Bank, near Musselburgh, Captain Ramsay, M. P.

19. At Edinburgh, Miss Frances Weir.

— At Inverkeithing, Robert Walker, Esq. of Sunnybank.

— In Lower Grosvenor Street, London, Mrs Margaret Hamilton, widow of James Hamilton of Bangor, Esq.

20. At Tours, in France, Elizabeth, the wife of George Vandenberg, Esq. of Knockmarloch.

22. At London, Francis Clason, of Lincoln's Inn, Esq. barrister at law.  
 — At Leith, James Dennison, Esq. aged 85 years.  
 — At Ergol manse, the Reverend David Dow.  
 24. At Burrowmuirhead, near Edinburgh, Thomas Steel, Esq. aged 91.  
 — At Edinburgh, Andrew Hutchison, Esq.  
 25. At Calcutta, Mrs Janet Hunter, relict of the said James Scott, Esq.  
 — At Elgin, the Hon. George Duff of Milton, third son of William Earl of Fife, in the 92d year of his age.  
 — Georgiana Susan, daughter of Sir James Graham of Netherby, Bart.  
 26. At Edinburgh, Alexander Anderson, Esq. of Kingcast.  
 — At Shavington, Viscountess Kilmore, wife of Lord Viscount Kilmore, of Shavington Hall, Salop.  
 — At Allan, Ross-shire, Charles Munro, Esq. of Allan, in his 78th year.  
 — At Rosshill, near Queensferry, Mrs Ross of Rosshill.  
 27. After a lingering illness, William Wylie, Esq. of Slatefield.  
 — At Capenoch, the lady of Sir Thomas Kirkpatrick, Bart.  
 — At Mouleay, the Hon. and Rev. Augustus Barry.  
 28. At Pathhead, Leamnahagow, Robert Wharrie, surgeon.  
 — At Edinburgh, Dr William Brown, Fellow of the Royal College of Surgeons.  
 — At Holm Street, Kilmarnock, Mrs Bruce. She was tapped 42 times, and 300 Sente pints of water drawn off, in the short space of 25 months, amounting in weight to 2000 lbs.  
 — At her daughter's at Colin's Cottage, Harrowgate, Mrs Ann Dawson, aged 101.  
 29. Within a few days of his lady, Robert Lord Viscount Killmorey, aged 72.  
 Dr. Zuber 1. At his house in Everton, Liverpool, Alexander Taylor, M.D.  
 — At London, James Sutherland, Esq.  
 — At Edinburgh, Patrick Hadaway, Esq. late brewer in Leith.  
 — Sir Edward Leslie, Bart. of Rathen House, county of Kerry, in his 74th year.  
 3. At Marnellie, in the 52d year of his age, Thomas Buchan, Esq. younger of Auchnacoy.  
 3. In Wickam Street, Portree, in the 113th year of his age, Thomas Bolwell, a native of that town.  
 4. At his house in Bedford Square, London, John Lunnsden, Esq.  
 5. In the 78th year of his age, Mr. Hargrave, the well-known historian of Knarborough, Harrowgate, and the surrounding country.  
 — At Dunganon Park, Ireland, Lord Viscount Northland.  
 — At Fort William, Robert Smith, Esq. surgeon.  
 — At Dundee, aged 36, Mrs Isabella Henderson, spouse of Dr Robert Scott, M.N.  
 6. At Castlewigg, in Wigtonshire, John Hathern, of Castlewigg, Esq.  
 — At Elwick Bank, in Orkney, Mrs Mary Balfour, relict of George Craigh, Esq. of Saviskat.  
 7. At Cockerhath, in her 74th year, Jane, wife of James Clark Satterthwaite, Esq.  
 — At Kaira, in the Presidency of Bombay, Caroline, wife of George William Anderson, Esq.  
 8. At Ayr, William Hatchison, Esq. late of Montreal.  
 — At Edinburgh, Mr William Murray, accountant.  
 — At Paris, Lady John Campbell.  
 9. At Edinburgh, John Hill, Esq.  
 — At Arnan, William Johnston, Esq. of Hallbank, aged 61.  
 — At Lambeth, Mr Archibald Macdonald, late of the Commissariat department, Lisbon.  
 — At Glasgow, Archibald Young, Esq. surgeon.  
 72. At Edinburgh, Miss Graham, of Orchill.  
 13. At his house in London, Lord Ellenborough.  
 — At London, George Sandeman, M.D. in his 72d year.  
 — At Gilcash House, Liverpool, aged 38, Mrs Solomon, wife of Dr Solomon.  
 — At London, Sir John Charles Hamilton of Dunneman, Ireland, Bart.  
 14. At Glasgow, the Rev. John Turnbull, in his 76th year.  
 — At Aberdeen, Mrs David Menzies, late of Concray, in her 88th year.  
 — At Little Milton, Mrs Copland.  
 15. At Edinburgh, Captain John Caw, B. N.

15. At Edinburgh, Althea Heddlom Eliza, wife to Capt. Bunworth, 88th regiment.

16. At Nairn, Mrs Baillie of Leys.

18. At Edinburgh, Lady Hay, widow of Sir Alexander Hay.

— At Auchtermuchty, the Rev. John Fraser.

19. At Woodhouse, parish of Manor, Mrs Ballantine of Sunnycroft, in her 99th year.

— At Edinburgh, Mrs Mary Balfour, spouse of the Rev. Dr. Brunton.

— At Pisa, in Italy, Capt. G. W. Forrest, 59th regiment.

21. At Glencroft, John Gibson, Esq.

— At Killiknow, Sorn, Miss Mary Logan, in her 91st year.

22. At London, Sir Philip Francis.

— At Bathgate, Mrs Isabella Wardlaw.

23. At Stockbridge, Edinburgh, James Syme, Esq.

— In very obscure lodgings in Chelsea, Captain Wolf, a descendant of the late Lord Kilwarden.

24. At Polmont Park, Mrs Spiers, relict of the deceased Alex Spiers, Esq. of Elderslie.

25. At Abden, Mrs Sibbald of Abden.

26. At Broughton Place, Mrs Margaret Hughan, spouse of James Spence, Esq.

— At Edinburgh, Bain Whyt, Esq. W. S.

27. At Edinburgh, in the 80th year of her age, Mrs Margaret Duncan, relict of Mr William Tait, merchant, Glasgow,

and sister to the late Admiral Lord Duncan.

27. In London, Daniel Lovell, Esq. proprietor and editor of the Statesman newspaper.

29. At his country seat, near Paris, in the 32d year of his age, Adrian Hope, Esq.

30. At Edinburgh, Robert Simpson, late builder, in his 71st year.

*Lately*, On board the British vessel *Angelica*, foundered while on her passage from the Cape of Good Hope to the Isle of France, John James Armstrong, Esq. late American Consul, at Teneriffe, and also his family, consisting of Miss Armstrong, seven children, two nephews, and servants.

— At Edinburgh, three weeks after having given birth to a son and heir, Elizabeth, wife of the Hon. Charles Noel Noel of Barham Court, Kent.

— At Dublin, Mr Hugh Fitzpatrick, an eminent bookseller.

— At Dublin, the Hon. Mrs Jocelyn, liect of the Hon. George Jocelyn.

— At Andigua, the lady of Lieutenant-Colonel S. B. Ferris.

— At Crookstone, in Killead, Mr John Montgomerie, farmer, in his 105th year. His ancestors were distinguished for their longevity, his grandfather reaching 120 years.

— At Weymouth, aged 73, Sir Edward Leslie, Bart.

— At his seat at Neuvillar, Marshal Clarke, the Duke of Feltre.

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